

# Agenda

## Item #4



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

To: Commissioners

From: Matthew Marett, PAC/Party/Lobbyist Registrar

Paul Lavin, Assistant Director

Jonathan Wayne, Executive Director

Date: July 19, 2013

Re: Request for Investigation by Representative Dale Crafts and Preliminary Penalty for Late Filing of a Lobbyist Registration and Monthly Report.

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### **Introduction**

On June 11, 2013, Representative Dale Crafts filed a complaint with the Commission alleging that The Humane Society of the United States ("Humane Society") had engaged a lobbyist without registering with the Commission. The staff understood Rep. Crafts' complaint to be a request to initiate an investigation into whether and when the Humane Society should have registered a lobbyist, and, if a registration was required, whether the lobbyist should have filed any monthly reports.

Kathleen Hansberry is the Maine State Director of the Humane Society and her responsibilities included lobbying on behalf of the Humane Society in 2013. After being contacted by Commission staff, Ms. Hansberry registered as a lobbyist for the Humane Society on June 12 and filed several monthly reports on June 15.

### **Standard for Conducting an Investigation**

Under the lobbyist disclosure law, "the Commission may undertake investigations into the failure to file a registration or to determine the accuracy and completeness of the registration and reporting of lobbyists and their employers if the members of the Commission have found cause to believe that a violation may have occurred based on a properly filed complaint or other information received by the Commission." (3 M.R.S.A. § 321(8))

## **Legal Requirements for Registering and Reporting**

Maine law requires lobbyists and their clients to register with the Commission within 15 business days of exceeding eight hours of lobbying within a calendar month. (3 M.R.S.A. § 313)

Lobbying is defined as the direct communication with legislators or other covered officials for the purpose of influencing legislative action, including any time spent preparing oral or written testimony or proposals for that purpose. (3 M.R.S.A. § 312-A(9)) Maine law further requires all registered lobbyists to file monthly reports with the Commission detailing their lobbying activity within a given calendar month. (3 M.R.S.A. § 317) Late registrations and reports are subject to a penalty of \$100 for each month a person fails to register or is delinquent in filing a report. (3 M.R.S.A. § 319(1))

Thus, lobbyist registration is triggered under current law only if an individual personally spends eight hours in a calendar month on paid lobbying as defined in the statute. As explained more in a staff policy note at the end of this memo, certain time-consuming tasks commonly performed by government relations professionals in the State House do not count toward the 8-hour threshold. So, while Legislators or staff may perceive someone as “always around the State House” lobbying, that individual may not be legally required to register because they have not conducted eight hours of lobbying in a month.

## **Preliminary Fact Gathering**

On June 11, 2013, the Commission staff contacted Ms. Hansberry by phone to inform her about the complaint filed by Rep. Crafts. In that conversation, Ms. Hansberry explained that she had never lobbied before, did not know about the monthly reporting requirement, and thought she had filed a registration in February. In fact, Ms. Hansberry filled out a lobbyist registration form on February 22 in the Commission’s online registration system, but did not complete the registration process or pay the registration fee. After the staff explained the registration and reporting requirements as well as what types of activities are considered lobbying, Ms. Hansberry submitted a registration on June 11 and filed monthly reports for January through April on June 15.

On June 26, the Commission staff requested that Ms. Hansberry respond in writing to the complaint, asking her to list the bills and issues she lobbied on during the legislative session, and

the amount of time per month spent on each bill or issue. The staff also asked Ms. Hansberry to describe her previous lobbying experience and explain her record-keeping system.

In her letter-response dated July 11, 2013 (attached), Ms. Hansberry stated that she did not exceed eight hours of lobbying in a month until April 18, and that she had not previously been required to register or file reports as a lobbyist in Maine or elsewhere. She stated that she maintained records of her lobbying activities using a combination of handwritten notes, a photo roster of state legislators, an e-mail calendar and monthly expense reports. In response to a follow-up question from the staff, Ms. Hansberry explained that she did not record specific amounts of time spent lobbying in her notes. However, she says that her records allowed her to closely estimate the actual time spent lobbying. Moreover, she stated that when she recorded her time in monthly lobbyist reports she “erred on the side of being over inclusive in order to ensure that all of [her] time was captured.” As an example, she recorded a conversation lasting less than six minutes as 0.1 hours of lobbying.

The Commission staff also sent a letter to Rep. Crafts on June 26 inviting additional information supporting his complaint. The letter was copied to David Trahan, the executive director of the Sportsman’s Alliance of Maine and Kathleen Jackson, Rep. Crafts’ legislative aide. No written response was received as of the date of this memo, but David Trahan did contact the staff by phone. Mr. Trahan asserted that Ms. Hansberry and the Humane Society were lobbying well before the legislative session began for the purpose of finding a legislative sponsor for a bill regarding bear hunting. He suggested that this would have taken some time because their original sponsor backed out, requiring them to find another sponsor. In addition, Mr. Trahan noted that the Humane Society testified on a number of bills before the Agriculture Committee early in the session. A staff memo of the phone conversation with Mr. Trahan is attached. We received an e-mail from Ms. Hansberry responding to Mr. Trahan’s comments, which is included in your packet materials.

The staff also reviewed the written testimony submitted to legislative committees by Ms. Hansberry during the first session of the 126<sup>th</sup> Legislature. The testimony is attached. Of the eight times she submitted written testimony to a legislative committee, five were in April. Most

of that testimony is limited to one or two pages.<sup>1</sup> Those eight bills made up three quarters of Ms. Hansberry's total time spent lobbying, or 61.5 of the 82.6 hours she reported in her July 11<sup>th</sup> response.

Ms. Hansberry was not the sole lobbyist for the Humane Society in 2013. The Humane Society hired Maine Street Solutions, LLC (a public policy consulting firm associated with the Verrill Dana law firm) to conduct lobbying services in 2013. Maine Street Solutions registered on February 2, 2013. Because Ms. Hansberry did not work at Maine Street Solutions, she was required by law to file a separate lobbyist registration, even though she represented the same client (her employer, the Humane Society). Maine Street Solutions reported lobbying activities in monthly reports for January, May and June. It reported that no lobbying activity occurred in February, March and April. Michael Saxl and Jay Nutting are listed on the joint registration as the principal lobbyist and lobbyist associate, respectively.

### **Staff Analysis**

Rep. Crafts' complaint presented a challenge to the Commission staff because of the difficulty for the staff to determine whether a lobbyist spent more than eight hours in a calendar month lobbying, and if so, exactly when that threshold was exceeded. There is no practical mechanism for the staff to independently track and verify a lobbyist's activities. The evidence typically available to the staff – records kept by a lobbyist, written testimony submitted to legislative committees, 3<sup>rd</sup> party observations of how frequently a lobbyist is at the State House or present in a committee room – is difficult to verify and may be unreliable.

After reviewing the information Ms. Hansberry provided, the Commission staff finds Ms. Hansberry's account of when she exceeded the 8-hour threshold plausible. Ms. Hansberry presented most of her written testimony in April, which is the month that she reported exceeding eight hours of lobbying. In addition, it is believable that the testimony she submitted was adapted from model testimony provided by the national organization she represented, and thus likely did not require as much work by Ms. Hansberry as might be initially assumed. She has explained several methods she used to record her lobbying activities. Finally, the perception that

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<sup>1</sup> In a phone conversation with Ms. Hansberry, she said that most of her testimony was adapted from model testimony drafted by the national organization, suggesting she spent less time drafting testimony than it might otherwise appear.

Ms. Hansberry was often seen at the State House or even frequently talking to legislators or other covered officials is not, in itself, strong evidence that she lobbied more than eight hours in a calendar month. The staff's analysis may change if additional specific evidence is brought forward by the complainant; however, in its absence, we are inclined to suggest that the best outcome is to find that Ms. Hansberry was late in registering and reporting *based on her own account of her lobbying activity*, rather than seeking a larger penalty on a factual record that is not specific.

### **Preliminary Penalty for a Late Registration and Monthly Report**

Under the Commission's laws, for every month a registration or report is late the lobbyist may be assessed a penalty of \$100. Based on the date Ms. Hansberry reported exceeding eight hours of lobbying in a calendar month, she was required to register on or before May 9, 2013. Ms. Hansberry did not file her registration until June 11, 2013. Because Ms. Hansberry's registration was more than one month late, the preliminary penalty is \$200.

In addition, based on the date Ms. Hansberry should have filed her registration, she was required to file the April monthly report on or before May 15, 2013. Because her April report was filed on June 15, exactly one month late, the preliminary penalty is \$100.

Ms. Hansberry requests a waiver, in whole or in part, of the preliminary penalty of \$300. To support her request, she cites her lack of experience as a lobbyist and her effort, although unsuccessful, to register in February. Moreover, Ms. Hansberry has been both cooperative and forthcoming with the Commission staff since this issue came to light. She has also taken steps to disclose more information to the public than is required as a good faith showing that she was not trying to subvert the state's disclosure requirements. Ms. Hansberry's request is attached.

Lobbyists have an obligation to follow Maine's registration and reporting requirements. While a lobbyist's level of experience can be a mitigating factor, Ms. Hansberry was aware or should have been aware of these requirements when she attempted to file a registration in February. While the staff does not believe Ms. Hansberry intentionally disregarded her obligations, she should have followed up with the Commission staff after she did not receive confirmation that her registration was accepted or that payment was due. Nevertheless, the staff does not believe that her lack of experience merits a waiver of the preliminary penalty in this circumstance.

## **Staff Recommendation**

In the absence of evidence that directly and specifically contradicts the time estimates provided by Ms. Hansberry, the Commission staff recommends finding that Ms. Hansberry was late in registering and reporting based on her own account of her lobbying activities. We believe that the preliminary penalties of \$300 and the experience of having the complaint raised against her in the context of public, legislative debate will be sufficient to encourage timely disclosure by the Humane Society in the future. As a result, the staff recommends no further investigation into the complaint. The staff further recommends the Commission find that Ms. Hansberry was late in registering as a lobbyist and in filing the report for April 2013. We recommend penalties of \$200 and \$100 for those respective violations, for a total of \$300.

## **Staff Note on Policy**

As noted above, for purposes of the 8-hour lobbyist registration trigger, certain common responsibilities of government relations professionals are not included in the definition of lobbying under Maine's disclosure law. For example, time spent in a hearing room *monitoring* legislation on behalf of a client (even if compensated) does not count for purposes of the 8-hour trigger for lobbyist registration. Time spent *waiting* in the State House for a legislative meeting or for a one-on-one conversation is not lobbying. As a result of the 8-hour trigger and the definition of lobbying, a certain amount of paid lobbying is probably never disclosed publicly – even in cases in which the lobbying has had a decisive effect on legislation. Also, the definition of lobbying has the effect of reducing the amount of compensation that is reported to the public by interest groups to influence legislation (*i.e.*, it is possible that some lobbyists disclose considerably less than they bill to the client).

Advocates for greater transparency in government may want to tackle either the 8-hour trigger or the definition of lobbying in the future. In the judgment of the Commission staff, changing either will not be easy, because the 8-hour trigger affects so many of the constituency groups that pay employees or contract professionals to lobby, and because there is a federal definition of lobbying that has tax implications for both businesses and non-profit organizations in terms of limits on political activities and deductions for business expenses. Thank you.

## Wayne, Jonathan

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**From:** Katie Hansberry <khansberry@humanesociety.org>  
**Sent:** Friday, July 19, 2013 9:26 AM  
**To:** Wayne, Jonathan  
**Cc:** Marett, Matthew; Lavin, Paul  
**Subject:** RE: Question on Lobbying in 2012

Mr. Wayne,

Here is my response to your most recent request for information concerning lobbying in 2012.

I reported my lobbying time in accordance with the direction provided on page 15 of the 2013 Guidebook for Maine Lobbyists, "that the lobbyist should report any compensation and expenditures with the drafting as though they occurred during the month when the legislation is submitted." Since I did not communicate or reach out to any covered officials about being a bill sponsor until January 2013, I included the time that I spent in December 2012 on preparing the legislation and identifying legislators to possibly approach about being a sponsor in my January 2013 report. My lobbying time spent with both Senator Mazurek, the original bill sponsor, and Representative Harlow, the subsequent bill sponsor, is contained in my reports.

With respect to other information contained in the memorandum summarizing the telephone call with David Trahan, I would just like to address a few points. While I did lobby on LDs 484 and 1239, as reflected in my reports, I did not lobby on LD 1240. Additionally, the statement that I "often had assistance at the State House" likely refers to the fact that we retained Maine Street Solutions to lobby on our behalf. Finally, the statement that I had "up to five people in the committee room with [me]" likely refers to the public hearing on LD 1303 that occurred on April 30, 2013. At that time, I had four colleagues visiting to accompany me on meetings around the state. The majority of those meetings were with our supporters such as local animal welfare groups, animal shelters, veterinarians etc. We also arranged one meeting with stakeholders in opposition to our efforts, namely David Trahan and Don Kleiner, in a good faith attempt to see if we could find some common ground or compromise. That meeting took place immediately following the public hearing on LD 1303, so my colleagues attended the public hearing.

Please let me know if you require anything else and I do plan to attend the July 29<sup>th</sup> meeting.

Best,

**Katie Hansberry**  
Maine State Director  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)  
t 207.999.2323  
[facebook.com/HSUSMaine](https://www.facebook.com/HSUSMaine)

The Humane Society of the United States  
P.O. Box 10136 Portland, ME 04104  
[humanesociety.org](http://humanesociety.org)

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*To support The Humane Society of the United States, please make a monthly donation, or give in another way, via a gift donation or memorial donation or donating your vehicle. You can also volunteer for The HSUS, and see our 55 ways you can help animals.*

*The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator, approved by the Better Business Bureau for all 20 standards for charity accountability, voted by GuideStar's Philanthropedia experts as the #1 high-impact animal protection group, and named by Worth Magazine as one of the 10 most fiscally responsible charities.*

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**From:** Wayne, Jonathan [mailto:Jonathan.Wayne@maine.gov]  
**Sent:** Wednesday, July 17, 2013 8:05 PM  
**To:** Katie Hansberry  
**Cc:** Marett, Matthew; Lavin, Paul  
**Subject:** Question on Lobbying in 2012

Ms. Hansberry,

Thank you for the additional information you provided today by e-mail. As the Commission staff completes its memorandum to the Commissioners describing this enforcement matter, would you please let us know whether you conducted in lobbying activities prior to January 1, 2013 in connection with legislation to be introduced in the 2013 session?

As you know, lobbying means

- direct communication with covered officials for the purposes of influencing any legislative action, and
- preparing proposals, testimony or analyses concerning legislative action for purposes of submitting them to a covered official.

We ask, because your July 11, 2013 letter does not refer to any lobbying time in late 2012 and PAC/Party/Lobbyist Registrar Matt Marett made me aware of the attached conversation he had a couple of weeks ago with David Trahan of the Sportsmans Alliance of Maine. While we appreciate Mr. Trahan providing the information, it will not change the staff's recommendation of penalties totaling \$300.

Could you please let me know by e-mail, preferably Thursday or by Friday by 9:30 a.m.? Also, if there is any other information you would like to submit in response to the attached memo, please feel free to include it in the e-mail or in person at the July 29 meeting.

Thank you.

Jonathan Wayne  
Executive Director  
Maine Ethics Commission  
135 SHS  
Augusta, ME 04333  
287-4179

Request for  
Investigation

**Wayne, Jonathan**

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**From:** Jackson, Kathleen <Kathleen.Jackson@legislature.maine.gov>  
**Sent:** Tuesday, June 11, 2013 3:43 PM  
**To:** Wayne, Jonathan  
**Subject:** Formal Request for Investigation

Good afternoon,  
Representative Dale Crafts would like to file a formal complaint against the United States Humane Society for lobbying within the State House without being a registered lobbyist. Their representative has been lobbying members and testifying before committees for several months now.  
Please contact us if you require a written letter of complaint.  
Thank you,

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Kathleen Jackson  
Legislative Aide  
House Republican Office  
2 State House Station  
Augusta, ME 04333-0002  
(207) 287-1440  
[Kathleen.Jackson@legislature.maine.gov](mailto:Kathleen.Jackson@legislature.maine.gov)



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

June 26, 2013

Ms. Kathleen Hansberry  
The Humane Society of the United States  
P.O. Box 10136  
Portland, ME 04104

**RE: NOTICE OF COMPLAINT**

Dear Ms. Hansberry,

As you are aware, Representative Dale Crafts filed a complaint against The Humane Society of the United States on June 11, 2013. The complaint alleges that the Humane Society engaged a lobbyist to lobby in Maine without registering or filing the appropriate monthly reports.

**Legal Requirements**

Maine law requires lobbyists and their clients to register with the Ethics Commission within 15 business days of exceeding eight (8) hours of lobbying within a calendar month. (3 M.R.S.A. § 313) Lobbying is the direct communication with legislators or other covered officials for the purpose of influencing legislative action, and includes any time spent preparing oral or written testimony for that purpose. (3 M.R.S.A. § 312-A(9)) Maine law further requires all registered lobbyists to file monthly reports with the Commission detailing their lobbying activity within a given calendar month. (3 M.R.S.A. § 317) Late registrations and reports are subject to a penalty of \$100 for each month a person fails to register or is delinquent in filing a report. (3 M.R.S.A. § 319(1))

**Your Recent Registration and Reports**

In response to initial communications with the Commission staff, you registered as a lobbyist for the Humane Society on June 11 and on June 15 you filed monthly reports covering all of your lobbying activity understanding that not all of your activity was required to be reported. According to your registration, you exceeded eight hours of lobbying on April 18, 2013.

**Your Opportunity to Respond**

The complaint will be heard by the Commission at its meeting on July 29, 2013, where it may decide to make a finding of violation and issue a penalty in keeping with the method outlined

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE  
WEBSITE: [WWW.MAINE.GOV/ETHICS](http://WWW.MAINE.GOV/ETHICS)

PHONE: (207) 287-4179

FAX: (207) 287-6775

above. The Commission staff strongly recommends that you attend the meeting, if possible, to respond to the complaint. The meeting will be held at 9:00 a.m. in the office of the Commission at 45 Memorial Circle, Augusta, ME 04330, on the second floor.

### Preliminary Fact Gathering

To assist the Commission, the Commission staff is engaging in some preliminary fact gathering into the allegations laid out in the complaint. Please respond to the following questions by Wednesday, July 10, 2013. Your response will be provided to the Commissioners for their consideration to authorize further investigation or to assess penalties at the July 29 meeting.

1. Please list the bills or issues you lobbied on since January 8, 2013. Please arrange your response so that the bills and issues lobbied on in a given calendar month are grouped together.
2. To the best of your abilities, please state the amount of time you spent on each bill or issue. Please arrange your response to show the amount of time spent on a particular bill or issue in a given calendar month.
3. Please describe the method by which you maintained records of your lobbying activity.
4. Please describe any communications you had with the Ethics Commission staff or other individuals regarding your requirement to register and report as a lobbyist in Maine. Please limit your response to those conversations occurring before you were contacted by the Commission regarding this matter.
5. Please describe your prior lobbying experience. Please include any lobbying done in Maine and out of state.

In all likelihood, the Commissioners will make a determination regarding the complaint on July 29, so they may rely primarily on your written response. Please feel free to add anything else you feel is germane to the Commission's consideration of the complaint. If you have questions or need more time, please contact me at (207) 287-6221 or [Matthew.Marett@Maine.gov](mailto:Matthew.Marett@Maine.gov).

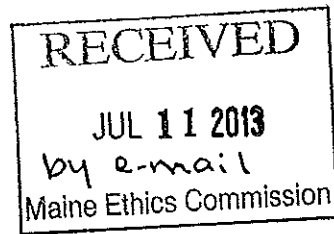
Sincerely,



Matthew Marett  
PAC, Party & Lobbyist Registrar  
Maine Ethics Commission



**THE HUMANE SOCIETY**  
OF THE UNITED STATES



July 11, 2013

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Via Email and First Class Mail

Matthew Marett  
Maine Ethics Commission  
135 State House Station  
Augusta, ME 04333-0135

Dear Mr. Marett,

In response to your request for information, please find my answers to the questions for the Commissioners consideration below:

1. Please list the bills or issues you lobbied on since January 8, 2013. Please arrange your response so that the bills and issues lobbied on in a given calendar month are grouped together.

January 2013

LR 1721 – 7.0  
LD 96 – 0.1

May 2013

LD 1239 – 1.0  
LD 1303 – 9.7  
LD 1474 – 5.8

February 2013

LR 1721 – 5.0  
LD 96 – 2.3

June 2013

LD 703 – 0.7  
LD 1303 – 20.8

March 2013

LR 1721 – 4.8  
LD 395 – 0.5  
LD 484 – 1.7  
LD 703 – 0.4

April 2013

LD 687 – 2.7  
LD 970 – 1.6  
LD 1192 – 2.5  
LD 1202 – 1.2  
LD 1239 – 3.6  
LD 1286 – 1.5  
LD 1303 – 4.7  
LD 1474 – 5.0

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2. To the best of your abilities, please state the amount of time you spent on each bill or issue. Please arrange your response to show the amount of time spent on a particular bill or issue in a given calendar month.

I have included the amount of time next to each bill listed in my answer to Question 1.

3. Please describe the method by which you maintained records of your lobbying activity.

I kept notes and utilized a 2013 Roster with Photos to track conversations with legislators and tasks related to lobbying. Additionally, I used my Outlook calendar for meetings, public hearings and work sessions. I also have monthly expense reports listing the items for which I receive reimbursement.

4. Please describe any communications you had with the Ethics Commission staff or other individuals regarding your requirement to register and report as a lobbyist in Maine. Please limit your response to those conversations occurring before you were contacted by the Commission regarding this matter.

Toby McGrath, while he was working at Maine Street Solutions, told me about the registration. He showed me the paper form and also mentioned that it could be completed online. Additionally, when I went to register online on February 22, 2012, I had a question and called the Ethics Commission office. I believe I spoke with Matt Marett and he answered my questions about filling out the online form. I thought I had completed the registration process.

5. Please describe your prior lobbying experience. Please include any lobbying done in Maine and out of state.

I started as the Maine State Director for the Humane Society of the United States in April of 2012. Previously, I had never worked in a position where lobbying was an aspect of my job. My previous lobbying experience was limited to briefly meeting with Maine's U.S. Senators and Representatives, primarily their staff, when I was in DC in 2012 on two occasions. Additionally, prior to taking my current position, I was an "armchair/citizen" lobbyist in Massachusetts in that I contacted and/or met with my state and federal legislators to discuss issues that were important to me, which did not require registration or reporting.

In addition to the above, I would like to Commissioners to know that lobbying is just one of many components of my job as state director. As soon as it was brought to my attention that my registration was incomplete and had reporting requirements to fulfill, I immediately took the necessary steps to address the issue and ensure that I was in compliance.

Thank you again for your assistance and please let me know if you require any additional information from me.

Sincerely,

Katie Hansberry  
Maine State Director  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)

## Marett, Matthew

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**From:** Katie Hansberry <khansberry@humanesociety.org>  
**Sent:** Tuesday, July 16, 2013 4:40 PM  
**To:** Wayne, Jonathan  
**Cc:** Lavin, Paul; Marett, Matthew  
**Subject:** RE: Request for Further Information

Mr. Wayne,

Here is my response to your request for further information:

- In the notes that you kept of your lobbying activity, did you actually record the amount of time spent for some or all of the lobbying tasks, and (if so) were those time records created contemporaneously with the lobbying or soon afterward?

No, I did not record the amount of time in my notes.

- If you kept time records of your lobbying, what was the purpose for keeping the time records?

N/A

- Do you regard the specific amounts of time listed in your response to question 1 as estimates or the actual amounts of time spent on each bill? If they are estimates, are they rough estimates or should the Commission regard them as close to the actual time spent?

The Commission should regard the times listed as estimates that are close to the actual time spent. I was diligent in reviewing my notes, calendar, materials etc. in order to calculate those times for my lobby reports. I also erred on the side of being over inclusive in order to ensure that all of my time was captured. For example, if a conversation I had with a legislator was less than 6 minutes, I counted it as 0.1 hours. Additionally, if I was unsure whether or not a task or communication constituted lobbying I included it in my calculation.

With respect to requesting a waiver of the proposed penalties it is my understanding that the statute allows for such a waiver under certain mitigating circumstances. I would ask that the Commission consider granting such a waiver, in whole or in part, based on my level of experience as a new lobbyist, as outlined in my response to question 5, as well as, the fact that I made an effort, and thought that I had registered as explained in my response to question 4. I would also note that any penalty will be paid by me personally and I will not be seeking reimbursement from my employer.

Lastly, your email references July 19<sup>th</sup> as the date of the Commissioners meeting, but it was listed as being on July 29<sup>th</sup> in the letter I received from Mr. Marett. I just want to make sure that I have the correct date in my calendar.

Thank you very much for your assistance and please let me know if you require anything further from me.

Best,

Katie Hansberry  
Maine State Director  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)  
t 207.999.2323  
[facebook.com/HSUSMaine](https://facebook.com/HSUSMaine)

The Humane Society of the United States  
P.O. Box 10136 Portland, ME 04104  
[humanesociety.org](http://humanesociety.org)

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*To support The Humane Society of the United States, please make a monthly donation, or give in another way, via a gift donation or memorial donation or donating your vehicle. You can also volunteer for The HSUS, and see our 55 ways you can help animals.*

*The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator, approved by the Better Business Bureau for all 20 standards for charity accountability, voted by Guidestar's Philanthropedia experts as the #1 high-impact animal protection group, and named by Worth Magazine as one of the 10 most fiscally responsible charities.*

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**From:** Wayne, Jonathan [<mailto:Jonathan.Wayne@maine.gov>]  
**Sent:** Thursday, July 11, 2013 12:53 PM  
**To:** Katie Hansberry  
**Cc:** Lavin, Paul; Marett, Matthew  
**Subject:** Request for Further Information

Ms. Hansberry,

Thank you for your response, which will assist the Commission in considering Rep. Crafts' complaint. For your information, we did not receive any further written information from Rep. Crafts or anyone else in support of the complaint.

The Commission staff is interested in receiving some additional information concerning the record-keeping that you described in your answer to question 2, which I take to be the basis for the specific time amounts you provided for question 1. No later than Tuesday, July 16, please respond to the following:

- In the notes that you kept of your lobbying activity, did you actually record the amount of time spent for some or all of the lobbying tasks, and (if so) were those time records created contemporaneously with the lobbying or soon afterward?
- If you kept time records of your lobbying, what was the purpose for keeping the time records?
- Do you regard the specific amounts of time listed in your response to question 1 as estimates or the actual amounts of time spent on each bill? If they are estimates, are they rough estimates or should the Commission regard them as close to the actual time spent?

I have conferred with Assistant Director Paul Lavin and PAC/Party/Lobbyist Matt Marett on your response. Absent any other information to be submitted in support of the complaint, the staff is preliminarily





STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

June 26, 2013

Representative Dale J. Crafts  
2 Passing Lane  
Lisbon Falls, ME 04252

Dear Representative Crafts,

The Ethics Commission staff received your complaint against The Humane Society of the United States on June 11, 2013. Since that time, the staff has been in communication with Kathleen Hansberry, the Maine State Director for the Humane Society. Ms. Hansberry has since filed a joint lobbyist registration with the Humane Society as well as several monthly reports. You can view her registration and reports on the Commission's public access website, [www.maineecampaignfinance.com](http://www.maineecampaignfinance.com).

Your complaint alleges that the Humane Society was engaging a lobbyist to lobby without registering, and that the lobbyist had been lobbying without a registration for several months. The Commission staff expects the Humane Society to take the position that Ms. Hansberry only recently met the threshold requirements for registration and reporting. If you have any additional specific information concerning the extent of Ms. Hansberry's lobbying, the intent of either Ms. Hansberry or the Humane Society to avoid registration or reporting, or any other information the Commission should consider, please submit it to the Commission staff by Wednesday, July 10, 2013.

Any information you provide will be submitted to the Commissioners for their consideration at the upcoming July 29 Commission meeting. If you have questions please don't hesitate to contact me at (207) 287-6221.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Marett".

Matthew Marett

cc: Honorable David Trahan  
Kathleen Jackson  
Kathleen Hansberry



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

To: File

From: Matthew Marett

Date: June 28, 2013

RE: Conversation with David Trahan about Lobbying by the Humane Society of the U.S.

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I spoke with David Trahan of the Sportsman's Alliance of Maine on the phone today. He called regarding a letter I sent to Rep. Dale Crafts, copying him, requesting additional information relating to the complaint Rep. Crafts filed against the Humane Society of the United States. The letter referenced the Humane Society's contention that the organization likely was not required to register a lobbyist until later in the legislative session.

Mr. Trahan took issue with that contention, suggesting that in his opinion the organization likely tripped the registration threshold well before that time. To support his point of view, he made several points: 1) the Humane Society was lobbying before the session began, in order to find a sponsor for LD 1474; 2) the organization found a legislator from Rockland who was expected to sponsor the bill but subsequently declined, requiring the organization to find another legislator; 3) the Humane Society testified on a number of bills before the Agriculture Committee early in the session, including LD 484, 1239 and 1240. In addition, Mr. Trahan noted that Kathleen Hansberry often had assistance with her at the State House, sometimes up to five people in the committee room with her. He said that the lobbyist for the state's guides could corroborate that.

I told Mr. Trahan about the 8-hour lobbying threshold that must be met before the requirement to register takes hold. I offered that this may explain why the Humane Society may believe it was not required to register earlier. In response to a follow-up question, I explained that the 8-hour threshold applied to each individual, and that the actions of a group could not be aggregated to reach the 8-hour threshold. In other words, five individuals from the same organization each lobbying 6 hours in a month does not trip the 8-hour threshold, even though their combined lobbying time greatly exceeds that amount.

I further encouraged Mr. Trahan to relay in a letter to the Commission the information he gave me over the phone.

## Wayne, Jonathan

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**From:** Katie Hansberry <khansberry@humanesociety.org>  
**Sent:** Friday, July 19, 2013 9:26 AM  
**To:** Wayne, Jonathan  
**Cc:** Marett, Matthew; Lavin, Paul  
**Subject:** RE: Question on Lobbying in 2012

Mr. Wayne,

Here is my response to your most recent request for information concerning lobbying in 2012.

I reported my lobbying time in accordance with the direction provided on page 15 of the 2013 Guidebook for Maine Lobbyists, "that the lobbyist should report any compensation and expenditures with the drafting as though they occurred during the month when the legislation is submitted." Since I did not communicate or reach out to any covered officials about being a bill sponsor until January 2013, I included the time that I spent in December 2012 on preparing the legislation and identifying legislators to possibly approach about being a sponsor in my January 2013 report. My lobbying time spent with both Senator Mazurek, the original bill sponsor, and Representative Harlow, the subsequent bill sponsor, is contained in my reports.

With respect to other information contained in the memorandum summarizing the telephone call with David Trahan, I would just like to address a few points. While I did lobby on LDs 484 and 1239, as reflected in my reports, I did not lobby on LD 1240. Additionally, the statement that I "often had assistance at the State House" likely refers to the fact that we retained Maine Street Solutions to lobby on our behalf. Finally, the statement that I had "up to five people in the committee room with [me]" likely refers to the public hearing on LD 1303 that occurred on April 30, 2013. At that time, I had four colleagues visiting to accompany me on meetings around the state. The majority of those meetings were with our supporters such as local animal welfare groups, animal shelters, veterinarians etc. We also arranged one meeting with stakeholders in opposition to our efforts, namely David Trahan and Don Kleiner, in a good faith attempt to see if we could find some common ground or compromise. That meeting took place immediately following the public hearing on LD 1303, so my colleagues attended the public hearing.

Please let me know if you require anything else and I do plan to attend the July 29<sup>th</sup> meeting.

Best,

**Katie Hansberry**  
Maine State Director  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)  
t 207.999.2323  
[facebook.com/HSUSMaine](https://facebook.com/HSUSMaine)

The Humane Society of the United States  
P.O. Box 10136 Portland, ME 04104  
[humanesociety.org](http://humanesociety.org)

[Join Our Email List](#) [Facebook](#) [Twitter](#) [Blog](#)



Celebrating Animals | Confronting Cruelty

*To support The Humane Society of the United States, please make a monthly donation, or give in another way, via a gift donation or memorial donation or donating your vehicle. You can also volunteer for The HSUS, and see our 55 ways you can help animals.*

*The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator, approved by the Better Business Bureau for all 20 standards for charity accountability, voted by GuideStar's Philanthropedia experts as the #1 high-impact animal protection group, and named by Worth Magazine as one of the 10 most fiscally responsible charities.*

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**From:** Wayne, Jonathan [mailto:Jonathan.Wayne@maine.gov]  
**Sent:** Wednesday, July 17, 2013 8:05 PM  
**To:** Katie Hansberry  
**Cc:** Marett, Matthew; Lavin, Paul  
**Subject:** Question on Lobbying in 2012

Ms. Hansberry,

Thank you for the additional information you provided today by e-mail. As the Commission staff completes its memorandum to the Commissioners describing this enforcement matter, would you please let us know whether you conducted in lobbying activities prior to January 1, 2013 in connection with legislation to be introduced in the 2013 session?

As you know, lobbying means

- direct communication with covered officials for the purposes of influencing any legislative action, and
- preparing proposals, testimony or analyses concerning legislative action for purposes of submitting them to a covered official.

We ask, because your July 11, 2013 letter does not refer to any lobbying time in late 2012 and PAC/Party/Lobbyist Registrar Matt Marett made me aware of the attached conversation he had a couple of weeks ago with David Trahan of the Sportsmans Alliance of Maine. While we appreciate Mr. Trahan providing the information, it will not change the staff's recommendation of penalties totaling \$300.

Could you please let me know by e-mail, preferably Thursday or by Friday by 9:30 a.m.? Also, if there is any other information you would like to submit in response to the attached memo, please feel free to include it in the e-mail or in person at the July 29 meeting.

Thank you.

Jonathan Wayne  
Executive Director  
Maine Ethics Commission  
135 SHS  
Augusta, ME 04333  
287-4179

### 3 §312-A. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following words have the following meanings. [1983, c. 160, §1 (NEW) .]

**1. Campaign fund raising activity.** "Campaign fund raising activity" means any event or solicitation by letter or any other means that is held for the purpose of receiving contributions for a political party, political committee, political action committee, candidate for political office in any primary or election, any elected official or a referendum committee.

[ 1993, c. 446, Pt. A, §1 (AMD); 1993, c. 446, Pt. A, §20 (AFF) .]

**1-A. Campaign contribution.** "Campaign contribution" is a contribution, as defined in Title 21-A, section 1012, subsection 2.

[ 1993, c. 446, Pt. A, §2 (NEW) .]

**2. Committee.** "Committee" means any committee, subcommittee, joint or select committee of the Legislature or any special committee or commission, by whatever name, established by the Legislature to make recommendations for legislative action or to develop legislation.

[ 1983, c. 160, §1 (NEW) .]

**2-A. Commission.** "Commission" means the Commission on Governmental Ethics and Election Practices as defined in Title 1, chapter 25.

[ 1993, c. 446, Pt. B, §1 (NEW) .]

**3. Communicate.** "Communicate" means the act of expressing, imparting or conveying information or impressions from one person to another, by either oral or written means.

[ 1983, c. 160, §1 (NEW) .]

**4. Compensation.** "Compensation" means anything of value that is received or to be received in return for, or in connection with, services rendered or to be rendered.

[ 1993, c. 446, Pt. A, §3 (AMD) .]

**4-A. Covered official.** "Covered official" means an official in the executive branch, an official in the legislative branch, a constitutional officer, the Governor and the Governor's cabinet and staff.

[ 2007, c. 630, §1 (NEW) .]

**4-B. Domestic partner.** "Domestic partner" means the partner of an individual who:

A. Is a mentally competent adult as is the individual; [2007, c. 630, §2 (NEW) .]

B. Has been legally domiciled with the individual for at least 12 months; [2007, c. 630, §2 (NEW) .]

C. Is not legally married to or legally separated from another individual; [2007, c. 630, §2 (NEW) .]

D. Is the sole partner of the individual and expects to remain so; and [2007, c. 630, §2 (NEW) .]

E. Is jointly responsible with the individual for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property. [2007, c. 630, §2 (NEW) .]

[ 2007, c. 630, §2 (NEW) .]

**5. Employer.** "Employer" means a person who agrees to reimburse for expenditures or to compensate a person who in return agrees to provide services. Employer includes any political action committee as defined in this section which communicates through or uses the services of a lobbyist to make campaign contributions or to influence in any way the political process.

[ 1983, c. 160, §1 (NEW) .]

**6. Employment.** "Employment" means an agreement to provide services in exchange for compensation or reimbursement of expenditures.

[ 1983, c. 160, §1 (NEW) .]

**7. Expenditure.** "Expenditure" means anything of value or any contract, promise or agreement to transfer anything of value, whether or not legally enforceable.

A. [1993, c. 691, §4 (RP) .]

B. [2007, c. 630, §3 (RP) .]

C. [2007, c. 630, §3 (RP) .]

[ 2007, c. 630, §3 (AMD) .]

**7-A. Immediate family.** "Immediate family" means a person's spouse or domestic partner and dependent children.

[ 2007, c. 630, §4 (AMD) .]

**7-B. Indirect lobbying.** "Indirect lobbying" means to communicate with members of the general public to solicit them to communicate directly with any covered official for the purpose of influencing legislative action, other than legislation that is before the Legislature as a result of a direct initiative in accordance with the Constitution of Maine, Article IV, Part Third, Section 18, when that solicitation is made by:

A. A broadcast, cable or satellite transmission; [2009, c. 282, §1 (NEW) .]

B. A communication delivered by print media; or [2009, c. 282, §1 (NEW) .]

C. A letter or other written communication delivered by mail or by comparable delivery service. E-mail is not considered a letter for the purposes of this paragraph. [2009, c. 282, §1 (NEW) .]

[ 2009, c. 282, §1 (NEW) .]

**8. Legislative action.** "Legislative action" means the drafting, introduction, consideration, modification, enactment or defeat of any bill, resolution, amendment, report, nomination or other matter by the Legislature, by either the House of Representatives or the Senate, any committee or an official in the Legislative Branch acting in his official capacity, or action of the Governor in approving or vetoing any legislative document presented to the Governor for his approval.

[ 1983, c. 160, §1 (NEW) .]

**8-A. Legislative designee.** "Legislative designee" means any employee of a state department or agency who is directed by the head of the department or agency to lobby or monitor legislation on behalf of the department or agency. "Legislative designee" includes an employee who is reasonably expected to lobby or monitor legislation on behalf of the department or agency for more than 20 hours during the session. For the purposes of this subsection, "monitoring legislation" means attending legislative hearings and sessions regarding a legislative action.

[ 2007, c. 630, §5 (NEW) .]



**9. Lobbying.** "Lobbying" means to communicate directly with any official in the legislative branch or any official in the executive branch or with a constitutional officer for the purpose of influencing any legislative action or with the Governor or the Governor's cabinet and staff for the purpose of influencing the approval or veto of a legislative action when reimbursement for expenditures or compensation is made for those activities. "Lobbying" includes the time spent to prepare and submit to the Governor, an official in the legislative branch, an official in the executive branch, a constitutional officer or a legislative committee oral and written proposals for, or testimony or analyses concerning, a legislative action. "Lobbying" does not include time spent by any person providing information to or participating in a subcommittee, stakeholder group, task force or other work group regarding a legislative action by the appointment or at the request of the Governor, a Legislator or legislative committee, a constitutional officer, a state agency commissioner or the chair of a state board or commission.

[ 2007, c. 630, §6 (AMD) .]



**10. Lobbyist.** "Lobbyist" means any person who is specifically employed by another person for the purpose of and who engages in lobbying in excess of 8 hours in any calendar month, or any individual who, as a regular employee of another person, expends an amount of time in excess of 8 hours in any calendar month in lobbying. "Lobbyist" does not include a lobbyist associate. "Lobbyist" does not include an individual who receives no compensation for lobbying other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures made by the individual for printing, postage and food and lodging connected with lobbying activities paid for by the individual. For the purposes of this subsection, "reimbursement for other out-of-pocket expenditures" does not include reimbursement for the individual's time spent lobbying that would have been otherwise compensated by an employer or in the course of the individual's employment.

[ 2009, c. 234, §1 (AMD) .]

**10-A. Lobbyist associate.** "Lobbyist associate" means an individual who:

A. Is a partner, associate or employee of a lobbyist or is a coemployee of a regular employee of another person if that regular employee is registered as a lobbyist; [1993, c. 691, §6 (NEW) .]

B. Lobbies on behalf of the employer named on the lobbyist registration; and [1993, c. 691, §6 (NEW) .]

C. Expends more than 8 hours in any calendar month lobbying on behalf of an employer of the lobbyist. [1993, c. 691, §6 (NEW) .]

[ 1993, c. 691, §6 (RPR) .]

**10-B. Media outlet.** "Media outlet" means a radio or television station, a cable television system, newspapers, magazines and other published written materials.

[ 1993, c. 446, Pt. A, §7 (NEW) .]

**10-C. Official in the executive branch.** "Official in the executive branch" means an individual in a major policy-influencing position in a department or agency listed in section 959 or in Title 5, chapter 71 and the Governor's cabinet and staff. As used in this chapter, "major policy-influencing position" means those positions listed in Title 5, chapter 71 and officers or employees of departments and agencies listed in section 959 and in Title 5, chapter 71 who have policy development as a major function of their positions.

[ 2007, c. 630, §7 (AMD) .]

**11. Official in the Legislative Branch.** "Official in the Legislative Branch" means a member, member-elect, candidate for or officer of the Legislature or an employee of the Legislature.

[ 1983, c. 160, §1 (NEW) .]

**11-A. Original source.** "Original source" means any person who contributes or pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or indirect lobbying,

except that contributions of membership dues to nonprofit corporations formed under Title 13-B, under any equivalent state law or by legislative enactment are not considered contributions by an original source.

[ 2009, c. 282, §2 (AMD) .]

**12. Person.** "Person" means an individual, corporation, proprietorship, joint stock company, business trust, syndicate, association, professional association, labor union, firm, partnership, club or other organization, whether profit or nonprofit, or any municipality or quasi-municipality or group of persons acting in concert, but does not include this State or any other agency of this State.

[ 1993, c. 691, §8 (AMD) .]

**13. Political Action Committee.** "Political Action Committee" includes:

A. Any separate or segregated fund established by any corporation, membership organization, cooperative or labor organization whose purpose is to influence the outcome of an election, including a candidate or question; and [1983, c. 160, §1 (NEW) .]

B. Any person, as defined in subsection 12 which serves as a funding and transfer mechanism and by which moneys are expended to advance, promote, defeat, influence in any way, or initiate a candidate, campaign, political party, referendum or initiated petition in this State. [1983, c. 160, §1 (NEW) .]

[ 1983, c. 160, §1 (NEW) .]

**14. Reimbursement.** "Reimbursement" means anything of value received or to be received as repayment for expenditures.

[ 1993, c. 446, Pt. A, §9 (AMD) .]

**14-A. Solicit.** "Solicit" means to entreat, implore, urge or ask.

[ 2009, c. 282, §3 (NEW) .]

**15. Year.** "Year" means a 12-month period starting December 1st and ending the following November 30th.

[ 1993, c. 446, Pt. A, §9 (AMD) .]

**16. Anything of value.** "Anything of value" means, but is not limited to:

A. Negotiable items:

- (1) Money;
- (2) A bank bill or note;
- (3) A stock, bond, note or other investment interest in an entity;
- (4) A promissory note, bill of exchange, order, draft, warrant, check or bond given for the payment of money;
- (5) An honorarium or compensation for services;
- (6) The granting of a discount or rebate:
  - (a) Not extended to the public generally; or
  - (b) By a media outlet not extended equally to all candidates for the same office; and
- (7) The sale or trade of something for reasonable compensation that is not available ordinarily to a member of the public; [1993, c. 446, Pt. A, §10 (NEW); 1993, c. 446, Pt. A, §20 (AFF) .]

B. Obligations:



- (1) A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, pledge or transfer of money;
- (2) A receipt given for the payment of money or other property;
- (3) A right in action;
- (4) A promise or offer of employment; and
- (5) An interest in tangible goods or chattel; [1993, c. 446, Pt. A, §10 (NEW); 1993, c. 446, Pt. A, §20 (AFF).]

C. Property. The retail or fair market value, whichever is greater, of:

- (1) A work of art, an antique or a collectible;
- (2) An automobile or other means of personal transportation;
- (3) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future interest contingent or vested in realty, a leasehold interest or other beneficial interest in realty; and
- (4) Other tangible goods; and [1993, c. 446, Pt. A, §10 (NEW); 1993, c. 446, Pt. A, §20 (AFF).]

D. Other goods or services. The retail or fair market value, whichever is greater, of:

- (1) The purchase of tickets for an event such as a reception, rally or fund-raising event;
- (2) A meal or lodging; and
- (3) Any service not extended free of charge to other members of the public. [1993, c. 446, Pt. A, §10 (NEW); 1993, c. 446, Pt. A, §20 (AFF).]

[ 1993, c. 446, Pt. A, §10 (NEW); 1993, c. 446, Pt. A, §20 (AFF) .]

**17. State employee or state agency employee.** "State employee or state agency employee" means employees of the executive branch, the judicial branch, the Department of the Attorney General, the Department of Secretary of State, the Department of the Treasurer and any employee who directly or indirectly represents an entity listed in Title 5, chapter 379.

[ 1993, c. 691, §9 (NEW) .]

**SECTION HISTORY**

1983, c. 160, §2 (NEW). 1985, c. 779, §4 (AMD). 1987, c. 816, §KK4 (AMD). 1987, c. 868, §2 (AMD). 1993, c. 446, §§A1-10, B1, 2 (AMD). 1993, c. 446, §A20 (AFF). 1993, c. 691, §§4-9 (AMD). 2007, c. 373, §§1, 2 (AMD). 2007, c. 630, §§1-8 (AMD). 2009, c. 234, §1 (AMD). 2009, c. 282, §§1-3 (AMD).



### **3 §313. REGISTRATION OF LOBBYISTS AND EMPLOYERS**

Every employer of a lobbyist and every lobbyist and lobbyist associate who lobbies on behalf of that employer shall register jointly at the office of the commission no later than 15 business days after commencement of lobbying and pay a registration fee of \$200 for the registration of each lobbyist and \$100 for the registration of each lobbyist associate or such other amounts as the commission determines approximate the cost to the commission of administering and enforcing the provisions of this chapter. [1999, c. 745, §1 (AMD).]

#### **SECTION HISTORY**

1975, c. 576, (RPR). 1975, c. 621, §2 (RP). 1975, c. 724, (REEN). 1977, c. 108, §1 (AMD). 1991, c. 465, §1 (AMD). 1993, c. 446, §B3 (AMD). 1993, c. 691, §10 (RPR). IB 1995, c. 1, §7 (AMD). 1999, c. 745, §1 (AMD).

### 3 §317. REPORTS

Reports required by this section must be on forms prescribed or approved by the commission. The forms must provide for a sworn statement that the persons signing the report acknowledge the truth and completeness of all the information contained therein. [1993, c. 691, §18 (RPR) .]



**1. Monthly session reports.** During the period in which the Legislature is in session, every registered lobbyist shall file with the commission, no later than 11:59 p.m. on the 15th calendar day of each month, a report concerning the lobbyist's activities for the previous month regarding each employer.

Every lobbyist shall report that lobbyist's lobbying activities for each month that the Legislature is in session, even if no lobbying has been performed or compensation or reimbursement for expenses received for the month. In the case of a lobbyist representing multiple employers, if no lobbying or services in support of lobbying were performed, one report listing each employer on whose behalf no lobbying was conducted may be submitted. The monthly report must contain the following information:

A. The month to which the report pertains; [1979, c. 632, §2 (RPR) .]

B. The name and address of the lobbyist and employer; [1979, c. 632, §2 (RPR) .]

C. The names of the individuals who lobbied during the month; [1979, c. 632, §2 (RPR) .]

D. The specific dollar amount of compensation received for lobbying activities, as defined in section 312-A, subsection 9, during the month. The amount of compensation received for lobbying officials in the legislative branch, officials in the executive branch and constitutional officers must be reported separately.

In the case of a regular employee, the specific dollar amount must be computed by multiplying the number of hours devoted to the preparation of documents and research for the primary purpose of influencing legislative action and to lobbying by the employee's regular rate of pay based on a 40-hour week; [2007, c. 630, §14 (AMD) .]

E. The specific dollar amount of expenditures made or incurred by the lobbyist during the month that is the subject of the report for purposes of lobbying as defined in section 312-A, subsection 9 for which the lobbyist has been or expects to be reimbursed. The amount of expenditures for lobbying officials in the legislative branch, officials in the executive branch and constitutional officers must be reported separately; [2007, c. 630, §14 (AMD) .]

E-1. When expenditures for the purposes of indirect lobbying exceed \$15,000 during the month that is the subject of the report, the specific dollar amount of expenditures for indirect lobbying made or incurred during the month by a lobbyist, lobbyist associate or employer, with separate totals for expenditure categories as determined by the commission, the legislative actions that are the subject of the indirect lobbying and a general description of the intended recipients; [2009, c. 282, §4 (NEW) .]

F. The total amount of expenditures by the lobbyist or the employer directly to or on behalf of one or more covered officials, including members of the official's immediate family; [2007, c. 630, §14 (AMD) .]

G. For any expenditure of money or anything of value made by the lobbyist or employer on behalf of a covered official or a member of the official's immediate family with a total retail value of \$25 or more, the name of the official or family member, the person making the expenditure and the date, amount and purpose of the expenditure; [2007, c. 630, §14 (AMD) .]

G-1. The date and a description of an event, a list of all officials in the legislative branch or executive branch or members of an official's immediate family in attendance and the total amount of expenditures for the event, if the total amount of the expenditures for officials and family members is \$250 or more; [2007, c. 373, §5 (AMD) .]

H. A list of each legislative action by Legislative Document number, specific issue, nomination or other matter in connection with which the lobbyist is engaged in lobbying; [2007, c. 630, §14 (AMD) .]

I. A list specifically identifying each legislative action for which the lobbyist was compensated or expects to be compensated, or expended in excess of \$1,000 for lobbying activities related to those actions and a statement of

the amounts compensated or expended for each; and [2007, c. 630, §14 (AMD) .]

J. A list of all of the employer's original sources and a statement of the dollar amounts contributed or paid by the original sources to the employer. If the original source is a corporation formed under Title 13 or 13-C or former Title 13-A, nonprofit corporation formed under Title 13-B or limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members or contributors, must be listed as the original source. [2009, c. 282, §5 (AMD) .]

[ 2009, c. 282, §§4, 5 (AMD) .]

## 2. Annual report.

[ 2011, c. 179, §5 (RP) .]

**2-A. Electronic filing.** Beginning January 1, 2006, a lobbyist shall file monthly session reports under subsection 1 through an electronic filing system developed by the commission. The commission may make an exception to this electronic filing requirement if a lobbyist submits a written request that states that the lobbyist lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted at least 10 days prior to the deadline for the first report that the lobbyist is required to file for the lobbying year. The commission shall grant all reasonable requests for exceptions.

[ 2011, c. 179, §6 (AMD) .]

**3. Facsimile copies.** The commission may, by rules adopted pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, establish procedures and fees by which facsimile copies of duly executed reports required by this section may be received and filed with the commission.

[ 1993, c. 446, Pt. B, §10 (AMD) .]

**4. Monthly nonsession reports.** When the Legislature is not in regular session, every registered lobbyist must either file:

A. With the lobbyist's last monthly report for that regular session a statement that the lobbyist will not engage in lobbying activities when the Legislature is not in session. The lobbyist is required to file a monthly report for lobbying activity conducted during a special session; or [1993, c. 446, Pt. A, §14 (NEW); 1993, c. 446, Pt. A, §20 (AFF) .]

B. If the lobbyist is engaged in lobbying in any of those months, a monthly report in the manner prescribed in subsection 1 even if compensation or reimbursement for expenses has not been received for the month. [1993, c. 446, Pt. A, §14 (NEW); 1993, c. 446, Pt. A, §20 (AFF) .]

If the lobbyist did not expect to be engaged in lobbying when the Legislature was not in session, the commission may waive the requirement for the months between the end of the session and the renewal of lobbying.

[ 1993, c. 691, §21 (AMD) .]

## SECTION HISTORY

1975, c. 576, (NEW). 1975, c. 621, §2 (RP). 1975, c. 724, (REEN). 1979, c. 108, §§2,3 (AMD). 1979, c. 632, §2 (RPR). 1985, c. 737, §A8 (AMD). 1987, c. 816, §KK5 (AMD). 1987, c. 868, §1 (AMD). 1989, c. 732, §1 (AMD). RR 1993, c. 2, §1 (COR). 1993, c. 446, §§A14,B7-10 (AMD). 1993, c. 446, §A20 (AFF). 1993, c. 691, §§18-21 (AMD). RR 2001, c. 2, §B1 (COR). RR 2001, c. 2, §B58 (AFF). 2001, c. 430, §6 (AMD). 2005, c. 301, §4 (AMD). 2007, c. 373, §§3-5 (AMD). 2007, c. 630, §§14, 15 (AMD). 2009, c. 282, §§4, 5 (AMD). 2011, c. 179, §§5, 6 (AMD).

### 3 §319. PENALTY



**1. Failure to file registration or report.** Any person who fails to file a registration or report as required by this chapter may be assessed a fine of \$100 for every month the person fails to register or is delinquent in filing a report pursuant to section 317. If a registration or report is filed late, the commission shall send a notice of the finding of violation and preliminary penalty. The notice must provide the lobbyist with an opportunity to request a waiver of the preliminary penalty. If a lobbyist files a report required pursuant to section 317 within 24 hours after the deadline, the amount of the preliminary penalty is \$50. The commission may waive the fine or penalty in whole or in part if the commission determines the failure to register or report was due to mitigating circumstances or the fine or penalty is disproportionate to the level of experience of the lobbyist or the harm suffered by the public from the late registration or report. For purposes of this subsection, "mitigating circumstances" means:

A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the fine or penalty in whole or in part; [2011, c. 179, §7 (NEW) .]

B. An error by the commission; or [2011, c. 179, §7 (NEW) .]

C. Circumstances determined by the commission to warrant the waiver of the fine or penalty in whole or in part, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with this chapter, including, but not limited to, unexplained delays in Internet service. [2011, c. 179, §7 (NEW) .]

[ 2011, c. 179, §7 (RPR) .]

**1-A. Notice of suspension.** Any person who fails to file a report or pay a fee as required by this chapter may be suspended from further lobbying by written notice of the commission until such failure is corrected.

[ 1993, c. 446, Pt. B, §12 (AMD) .]

**2.**

[ 1979, c. 632, §3 (RP) .]

**3. Exemption.** Notwithstanding section 317, subsection 1, a registered lobbyist is exempt from the penalty imposed under this section if, while the Legislature is convened in special session, the lobbyist failed to file a report with the commission pursuant to section 317 if no lobbying has been performed during that special session.

[ 1993, c. 446, Pt. B, §13 (AMD) .]

#### SECTION HISTORY

1975, c. 576, (NEW). 1975, c. 621, §2 (RP). 1975, c. 724, (REEN). 1977, c. 696, §17 (AMD). 1979, c. 632, §3 (RPR). 1989, c. 114, (AMD). 1991, c. 465, §2 (AMD). 1993, c. 446, §§A15, B11-13 (AMD). 1993, c. 691, §22 (AMD). 2011, c. 179, §7 (AMD) .



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### Testimony By:

### Presented To:

### In Opposition To:

### Date:

Katie Hansberry

Committee on Inland Fisheries and Wildlife

LD 96

February 19, 2013

Good afternoon Senator Dutremble, Representative Shaw and members of the Committee on Inland Fisheries and Wildlife. Thank you for the opportunity to testify in opposition to LD 96. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States – the nation's largest animal protection organization.

The proposed legislation is an attempt to manage Maine's coyote population through an antiquated tool that is widely recognized by wildlife experts as completely ineffective at controlling coyote populations. Offering a bounty will not restore deer populations nor prevent conflicts with coyotes, but rather will only result in an irresponsible waste of funds.

The scientific literature overwhelmingly demonstrates that bounties are useless tools for reducing the coyote population. Bounties fail to target "problem" animals and can often result in a coyote population rebound for two main reasons. First, when coyotes are threatened and at low population densities, females sometimes produce *larger* litters, likely due to decreased competition for food.<sup>i</sup> This allows coyote populations to bounce back quickly.<sup>ii</sup> Second, studies prove that indiscriminate killing of coyotes actually results in increased immigration of coyotes into vacant territories of killed animals.<sup>iii</sup> Thus, establishing a bounty would lead hunters to kill unwary coyotes, leaving behind the animals best adapted to survive and reproduce. This selective pressure creates an animal perfectly adapted to thwart attempts at lethal control.

Given the scientific evidence of their inefficacy, it is not surprising that bounties have been abandoned in all but a handful of states. Wildlife officials across the country, from the USDA to state wildlife agencies, have confirmed over and over that bounties simply do not work and have supported dismantling such systems. This includes retired Maine wildlife biologist, Ron Joseph, who recently referred to bounties as a "colossal waste of public dollars."<sup>iv</sup>

Furthermore, if the intent is to reduce conflicts with coyotes, there are many humane methods that have proven effective in addressing such concerns. These include aversive conditioning, which provides an unpleasant experience that changes the coyote's behavior so that they avoid those areas; proper trash and pet food storage to prevent the unintentional feeding of coyotes that leads to habituation to people; and sound farming husbandry practices such as the prompt removal of livestock carcasses. Monies which might be allocated to a bounty system could be used far more wisely by supporting such methods, which have been proven effective.

Coyote hunting and trapping opportunities are already plentiful in Maine and contain very few restrictions. Bounties are ineffective, problematic and antiquated, and have no place in Maine's wildlife management. On behalf of our Maine membership, I respectfully urge your opposition to LD 96. Thank you for your time and consideration.

Sincerely,

Katie Hansberry  
Maine State Director

Celebrating Animals | Confronting Cruelty

2100 L Street, NW Washington, DC 20037 t 202.452.1100 f 202.778.6132 [humanesociety.org](http://humanesociety.org)

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<sup>i</sup> Knowlton, F.P. 1972. Preliminary interpretations of coyote population mechanics with some management implications. *J. Wildl. Manage.* 36:369-382.

<sup>ii</sup> Connolly, G.E. 1978. Predator control and coyote populations: a review of simulation models. Pages 327-345 *in* M. Bekoff, ed. *Coyotes: biology, behavior, and management*. Academic Press, New York, N.Y.

<sup>iii</sup> Gehrt, S. D. 2004b. Chicago coyotes part II. *Wildl. Control. Technol.* 11(4):20-21, 38-9, 42.

<sup>iv</sup> Joseph, Ron. "Maine Voices: Coyote bounty continues tradition of ill-conceived wildlife measures." *Portland Press Herald*. 10 September 2012.



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Lona Williams

Testimony By: Katie Hansberry  
Presented To: Committee on Agriculture, Conservation, and Forestry  
In Support Of: LD 484  
Date: March 14, 2013

To Senator Jackson, Representative Dill and members of the Committee on Agriculture, Conservation, and Forestry;

On behalf of The Humane Society of the United States, the nation's largest animal protection organization with over eleven million supporters, including thousands in Maine, I urge you to support LD 484. This bill provides some important clarification on current law regarding the humane trapping of cats for animal control efforts, as well as providing needed definitions for small animals in shelters.

These changes are necessary because current law is vague and open to interpretation concerning the trapping of cats for commonly accepted purposes such as animal control work, spay/neuter programs and other programs designed to control the free-roaming cat population. It is our goal, and the goal of humane organizations across the state, to reduce the number of free-roaming cats through sterilization and adoption programs, and these changes help provide the appropriate framework in order to achieve that result. There is one suggestion we would propose concerning the definition of "Population control effort" in that the phrase "returning to the wild" is not an accurate description for programs involving free-roaming cats. We would recommend that it be replaced with "returning to their outdoor home" or "returning to their territory."

New definitions and regulations concerning small animals are also very much needed, to give animal shelters the correct guidelines in which to act for these animals. Small animals such as rabbits, Guinea Pigs, ferrets, and others are increasingly common in animal shelters all over Maine.

Maine is consistently ranked in the top 6 states with the best anti-cruelty laws. These proposed revisions further clarify our excellent laws and provide a sturdy framework for robust cat population control efforts that will help protect cats and our communities. We encourage you to support LD 484.

Sincerely,

Katie Hansberry  
Maine State Director

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Testimony By: Katie Hansberry  
Presented To: Committee on Judiciary  
In Support Of: LD 687  
Date: April 4, 2013

Good afternoon, Senator Valentino, Representative Priest and members of the Committee on Judiciary. Thank you for the opportunity to testify in support of LD 687. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States – the nation's largest animal protection organization. While Maine led the way in 2006 by enacting the first statute that specifically allowed judges to include pets in protection from abuse orders, this bill provides an important clarification on current law by extending it to include temporary orders.

This change is necessary because it is crucial to be able to get animals away from an abuser during the time when things are usually the most dangerous, namely when a victim is leaving an abusive situation. Pets are considered by many, to be a part of the family. Because of the often close ties between women, children, and their pets, domestic violence victims delay leaving because they fear for their pets' safety. Studies show that up to 48% of battered women delayed leaving a dangerous situation for just that reason. Therefore, allowing pets to be included in temporary orders removes an obstacle that may prevent a victim from risking their lives by staying in an unsafe environment to protect their beloved pet.

Complicating the issue is the fact that animals are considered property. If a pet is not listed in a temporary order and an abuser refuses to relinquish the animal, police or the courts may be reluctant to get involved in what might be considered a marital property dispute. As a result, abusers have been known to threaten or harm a pet if the victim does not return home, drop charges, or forgo a restraining order. Accordingly, it is important that the law concerning temporary orders be very clear about what it is the judge can do and we would propose that in sub-section 5-A the word "concerning" be replaced with "granting the petitioner." Giving the pets to the victim is crucial in these situations and the proposed amendment makes it clear that that is what the courts can do.

To protect domestic violence victims and pets we urge you to support LD 687. Thank you for your time and consideration.

Sincerely,

Katie Hansberry  
Maine State Director

Celebrating Animals | Confronting Cruelty

SPRING 2010

JUVENILE & FAMILY JUSTICE

# TODAY

A PUBLICATION OF THE NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

## Protecting Domestic Violence Victims by Protecting Their Pets

By Sherry Ramsey, Mary Lou Randour,  
Nancy Blaney and Maya Gupta

## ALSO: Collaboration is Key to Improving Responses to Crossover Youth

By Judge Patricia Escher

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# Protecting Domestic Violence Victims by Protecting Their Pets

*By Sherry Ramsey, Mary Lou Randour, Nancy Blaney, and Maya Gupta*

**P**ut yourself in Betty's shoes: She knows that she and her children are in real danger from the increasingly violent behavior of her partner, Rick. She has tried a number of strategies and knows that she must leave soon with her children. Betty has information about the local domestic violence shelter, but there is a problem, or rather, two problems—the family's two beloved mutts, Sally and Ralph. Sally and Ralph have been the one constant in her children's lives; their attachment is not only strong but also a source of comfort and stability to the children. Rick has already threatened the dogs, and even lashed out at Ralph with quick kicks to his ribcage. Betty and her children will be protected physically if they leave, but unless they find a way to place their family pets in a safe situation, they will suffer even greater emotional anguish.

Betty's story is not unusual. Studies show that up to 48% of domestic violence victims report that they delayed leaving a dangerous situation because they feared for their pets' safety and knew of no place to take them (Carlisle-Frank, Frank, & Nielsen 2004). This inability to leave places women, children, and pets at greater risk of exposure to emotional and physical trauma, and death.

# "Victims of family violence are often left in a position of deciding whether to stay in an abusive and often dangerous situation, or to go but leave behind their beloved pets."

## Pets: Overlooked Victims of Family Violence

As America witnessed during the tragedy of Hurricane Katrina, many people will not leave their homes without their beloved pets even when their own lives are at stake.

So it is in domestic violence situations, and abusers know this: The threat, or actual use, of violence against family pets is part of the dynamic of family violence—a dynamic that includes not only the spouse and batterer, but also the children, elderly relatives, and the family pet(s).

These crimes are often violent and egregious acts of cruelty. One of this article's authors has prosecuted a number of domestic abuse cases that included violence against pets, such as setting pets on fire, throwing them off balconies, and beating or killing them in front of children. Victims of family violence are often left in a position of deciding whether to stay in an abusive and often dangerous situation, or to go but leave behind their beloved pets. Victims know that leaving them behind puts their pets at even greater risk of abuse once the victim is gone. Animals are often used by the abuser to punish or manipulate, as well as to take revenge against the victim. Considering that more than 64 million households in the United States include one or more companion animals, being cruel to animals is a common way to punish and control a victim of domestic violence. (Randour & Davidson, 2008). Likewise, attachments to pets on the parts of both victim and the children in a violent family are considerable, and traumatic suffering can result when pets are abused or killed.

In the past twenty years, a growing body of research has firmly established a significant link between domestic violence, child abuse, and animal abuse.

- Multiple studies have found that as many as 71% of battered women reported that their pets had been threatened, harmed, and/or killed by their partners (Ascione, Weber, & Wood, 1997; Flynn, 2000; Loring & Bolden-Hines, 2004).
- A national survey of battered women's shelters determined that 85% of shelters indicated that women seeking shelter at safe houses talked about incidents of pet abuse (Ascione et al., 1997).
- Pet abuse was identified as one of the four significant predictors for intimate partner violence in a recent "gold standard" study conducted by Dr. Jacquelyn Campbell and colleagues. This study, conducted from 1994 to 2000 in 11 large U.S. cities, used a random sample of 3,737 women, as well as a control case sample of 845 women (Walton-Moss, Manganello, Frye, & Campbell, 2003).
- Severe physical violence perpetrated by the batterer was a significant predictor of pet abuse (Ascione et al., 2007).
- 48% of battered women delay leaving a dangerous situation out of concern for their pet's safety (Paver & Strand, 2003).
- Women have been coerced into committing illegal acts by the batterer because of threats made to their pets (Loring & Bolden-Hines, 2004).
- Children exposed to domestic violence are at greater risk of psychological maladjustment, including a higher risk of becoming perpetrators or victims. Pet abuse is an early indicator of such

maladjustment. Children exposed to domestic violence were at significantly increased risk for behavior problems, including animal abuse (Baldry, 2003).

Household pets are not the only victims; farm animals and horses can be subject to abuse. One abuse victim noted that when she made her husband angry, he would beat her beloved horses. These are not isolated cases but rather are typical of how abusers use animals to control victims or seek revenge.

## Legislatures Respond to the Need to Protect Pets

After seeing so many people stay behind during Hurricane Katrina to safeguard their pets, many states responded by developing emergency plans that include pets to ensure that people will evacuate their homes when called upon to do so. The federal government acted as well. In 2006, Congress passed and President George W. Bush signed into law the Pets Evacuation and Transportation Standards Act. This law requires that local and state emergency plans cover pets and service animals in order to qualify for grants from FEMA. It also provides assistance with creating appropriate shelters.

Similarly, in violent homes throughout the country, domestic violence victims risk their lives every day staying in dangerous situations in order to protect a beloved companion animal. As was the response to Katrina, it is appropriate that the law and the courts make it easier for these victims to protect themselves by recognizing the need to protect their pets.

Complicating the issue is the fact that animals are considered property in all 50 states. If an abuser refuses to relinquish a pet and the pet is not listed on a temporary restraining order (TRO), police and even courts are often reluctant to get involved in what is usually considered a marital property dispute. As a result, abusers have been known to threaten to harm or kill a pet if a victim does not return to the home, or dismiss criminal charges or restraining orders against an abuser. In one such case, a woman suddenly left a domestic violence shelter after she received pictures of her husband cutting her dog's ears off with garden shears. Another woman was forced to watch as her husband shot and killed her dog in front of her young son.

## Existing State Laws Governing Temporary Restraining Orders that Include Pets

Many states have recognized that including pets in TROs is an important component in protecting domestic violence victims. In 2006, Maine enacted the first statute that specifically allowed judges to include pets in protection orders issued against domestic abusers. New York and Vermont followed suit later that year. Currently, at least 13 states have passed laws to ensure that victims can include their pets in restraining orders. Numerous other states have bills pending or are considering such laws.

In addition to these 13 states, some states have passed laws that take into account animal abuse in domestic violence situations. For example, a Florida law provides that the intentional injury or killing of a pet can be one factor used to petition a court for an injunction for protection against domestic violence, and also a factor

## State Pet Protective Order Laws August 2009

State	Citation	Year Enacted
California	Family Code § 6320	2007
Colorado	C.R.S.A. § 18-6-803.5	2007
Connecticut	C.G.S.A. § 46b-15	2007
Hawaii	H.R.S. § 586-4	2009
Illinois	725 ILCS 5/112A-14	2007
Louisiana	R.S. 46:2135	2008
Maine	19-A M.R.S.A. § 4007	2006
Nevada	NRS §§ 33.018 and 33.030	2007
New York	Family Court Act, § 842	2008
North Carolina	G.S. § 50B-3	2009
Tennessee	T.C.A. § 36-3-606	2007
Washington	RCW §§ 26.50.060 and 26.50.110	2009
Vermont	15 V.S.A. § 1103	2006

that should be considered in determining whether a petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence. (*Fla. Stat. § 741.30(3)(b) and 741.30(6)(b)(4)*)

Indiana law includes animal cruelty, when combined with a crime against a family or household member, as an act of domestic violence. (*Burns Ind. Code Ann. § 31-9-2-295 (14)*) Further, beating, torturing, mutilating, or killing a vertebrate animal with the intent to threaten a family member is also considered an act of domestic violence. (*Burns Ind. Code Ann. § 31-9-2-42 (4)*)

In Pennsylvania, the law finds that killing or threatening to kill a pet constitutes abuse that can constitute grounds for granting a temporary order that requires the defendant to relinquish all firearms to the sheriff. (*23 Pa.C.S. § 6107 (b)(3)(ii)(B)(II)*)

Although neither Pennsylvania, Indiana, nor Florida has specific laws to allow pets' inclusion on restraining orders, their enactment of the above legislation shows they recognize the implications of animal cruelty in domestic violence.

Colorado, which does allow pets to be included on TROs, further defines domestic violence as follows:

*"Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal. (C. R. S. A. § 18-6-800.3)*

Most states that have express provisions that allow for pets to be included in TROs have merely added sections to the TRO that allow for possession and custody of an animal to the victim. A typical provision such as Louisiana's law states:

*(7) Granting to the petitioner the exclusive care, possession, or control of any pets belonging to or under the care of the petitioner or minor children*

*residing in the residence or household of either party, and directing the defendant to refrain from harassing, interfering with, abusing or injuring any pet, without legal justification, known to be owned, possessed, leased, kept, or held by either party or a minor child residing in the residence or household of either party. (LSA-R.S. 46:2135)*

As previously mentioned, at least 13 states have laws that specifically allow for inclusion of pets in TROs. Some provisions are more specific and some are more general in nature. For example, California law states:

*§ 6320. Ex parte order enjoining contact; companion animals*

*(b) On a showing of good cause, the court may include in a protective order a grant to the petitioner of the exclusive care, possession, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent. The court may order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal.*

Under Connecticut law:

*The court, in its discretion, may make such order as it deems appropriate for the protection of any animal owned or kept by the applicant including, but not limited to, an order enjoining the respondent from injuring or threatening to injure such animal. If an applicant alleges an immediate and present physical danger to the applicant, the court may issue an ex parte order granting such relief as it deems appropriate. (CT ST § 46b-15)*

Likewise in Illinois, the provision under the domestic violence order of protection states:

*(11.5) Protection of animals. Grant the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. (IL ST CH 725 § 5/112A-14)*

Certainly, all of these laws are meant to protect the victims of domestic violence by recognizing that animal abuse is often used to hurt the victim. They are also meant to protect animals in these dangerous and volatile situations. Therefore, the disposition of pets can be an important

consideration for family court judges when considering or granting a TRO.

### When There Are No Specific Provisions in the Law

Although it is preferable for states to enact laws specifically allowing the inclusion of pets in TROs, it is arguably permissible in the absence of such provisions. Having the specific provision within the TRO allows for the victim to be presented with the option at the time of the request. However, in lieu of such a provision, most state TROs contain language that allows for disposition of specific property. Further, most states include language that allows for additional orders left to the court's discretion. Accordingly, the court can also order that the pets be included in the TRO's protection, as

*Continued on page 20*



# Safe Havens for Pets



The vast majority of domestic violence shelters do not allow pets. As a result, "safe havens for pets" programs, which provide emergency care for pets while their owners stay at a domestic violence shelter or other temporary housing where pets are not allowed, are extremely important in efforts to keep victims and their pets safe. The actual number, location, and types of services offered by these programs are unknown, which is why the Safe Havens Mapping Project, described below, was initiated.

The manner in which safe haven programs are organized depends on what makes sense locally, and they have generally developed "organically" from the grassroots level. Some programs are partnerships between a domestic violence agency and a humane society; others, such as Ahimsa House in Atlanta, Ga., are not associated with a particular shelter or agency.

In some instances, a domestic violence program may enlist the aid of local veterinarians or boarding facilities, as in the case of Harbor House in Orlando, Fla. Elsewhere, animal shelters provide kennel space for the pets of domestic violence victims. A third option, placing animals in volunteer "foster homes," often offers a longer length of stay than is available or cost-effective at animal care facilities, while also providing a family environment that avoids the risk of animals developing mental/behavioral problems from being kennelled for long periods. However, safeguards should be put in place when using foster homes, such as careful screening and training, emergency protocols, and ideally a no-contact policy between clients and foster homes (in Ahimsa House's program, for example, they do not even know one another's identity or location).

How do I find a Safe Haven for Pets program in my area?

Information about safe haven programs can be found at the Ahimsa House Web site, and in the National Coalition Against Domestic Violence (NCADV) National Directory of Domestic Violence Programs. Unfortunately, at this time the NCADV directory is not available online, and the Ahimsa House directory is not yet national in scope. The American Humane Association is also supporting the development of on-site facilities at domestic violence shelters that allow victims to bring their pets with them. This alternative, while limited, presents another choice for those communities investigating the formation of a safe haven program. American Humane maintains a list of shelters that accept pets;

however, since shelters may have restrictions on the type and number of pets allowed, please contact them for more information (see below).

In order to provide a comprehensive national resource for safe havens for pets programs, the Safe Havens Mapping Project was initiated in 2009. When complete, the Project will provide information outline, identifying service areas and contact information for havens programs around the country.

## The Safe Havens Mapping Project

The Animal Welfare Institute and the Humane Society of the United States initiated the Safe Havens Mapping Project in order to offer victims of domestic violence and their representatives rapid and easy access to information about safe haven programs. Additionally, for existing programs, improved access to information about fellow programs statewide/nationwide will facilitate communication, collaboration, and coordination of care. Finally, identifying and mapping service areas of existing programs will assist in identifying geographic areas lacking safe haven coverage where development of new programs should be encouraged. This information is being compiled into a searchable national database housed on the Web site of Ahimsa House ([www.ahimsahouse.org/directory](http://www.ahimsahouse.org/directory)).

Staff and volunteers of these organizations have been contacting the domestic violence programs listed in the NCADV directory to confirm, update, and expand upon the information it provides regarding the availability of housing, or assistance with finding safe placement, for the companion animals of women attempting to escape a violent partner. In addition to finding out whether services are provided on-site, off-site, or via referral, we elicit additional details about the services, e.g., whether foster homes are utilized. In one case, we learned that small mammals, such as hamsters, may be kept in one's room at the shelter. We also ask whether a stay at the shelter is required, and whether questions about pets are asked of callers to the hotline or during intake.

Once the Safe Havens Mapping Project is online, it will provide a national resource to domestic violence agencies, law enforcement, prosecutors, and social services. With this additional resource, greater protection can be extended to protect families and the animals that live with them.

For more information on Safe Havens for Pets programs: Ahimsa House: [www.ahimsahouse.org](http://www.ahimsahouse.org); Ahimsa House safe havens listserv: <http://lists.ahimsahouse.org/mailman/listinfo/safehavens>

American Humane Association, Pets and Women's Shelters (PAWS) Programs: <http://www.americanhumane.org/human-animal-bond/programs/pets-and-womens-shelters/>

Ascione, R. R. (2000). Safe havens for pets: Guidelines for programs sheltering pets for women who are battered. Available at: [http://www.aclss.com/guest\\_dispatches/safe\\_havens.html](http://www.aclss.com/guest_dispatches/safe_havens.html)

The Humane Society of the United States (2004). Starting safe havens for animals program. Available at: [http://files.hsus.org/web-files/PDF/2004\\_SafeHavens\\_Guide.pdf](http://files.hsus.org/web-files/PDF/2004_SafeHavens_Guide.pdf)

Continued from page 18

with the temporary care of the children, or possession of homes or vehicles. Thus, in the same way as certain property is given to the victim pending a final disposition, so can animals be turned over exclusively to a victim pending the Final Restraining Order hearing. Judges have often used such language to include pets in TROs prior to specific provisions in the law that spell out this consideration.

In rare cases, concerns have been raised in situations when an individual has used the system to obtain possession of pets inappropriately or out of spite—not unlike what occasionally happens in certain child custody disputes. Although these may be rare circumstances, the court can ensure that the pets are safe and fairly awarded by ordering that the pets must remain in the custody of the petitioner and not be removed or euthanized pending a final disposition of the animals. This is comparable to initial Separation Orders, which can prohibit the parties from moving any family members or assets until the final settlement.

#### Including Pets in Temporary Restraining Orders

Allowing pets to be included in restraining orders removes one obstacle that may prevent a victim from leaving an abusive situation. Including pets in an initial TRO is often essential to protecting the animal as well as ensuring that the victim can leave without fear of abuse to her animal family member.

In addition, including pets on a TRO can authorize law enforcement to assist the victim in retrieving pets left behind at the residence during flight. Absent this protection, victims may attempt to return to the residence alone to retrieve or care for pets, placing themselves in danger of encountering the abuser. In a recent situation known to one author, a victim staying at a domestic violence shelter returned to the residence each day at a time when she predicted the abuser would be absent—bringing her children with her—to feed the dogs and allow them to relieve themselves. After a few days, the victim became too fearful to attempt the journey. Soon thereafter, she left the shelter due to concern about the dogs, which were her children's beloved pets. While this case clearly illustrates a failure of the domestic violence shelter to recognize and address the safety risks inherent in the situation, it is also an example of how including the dogs in a TRO (which this victim did not have) might have produced a different outcome.

Animal abuse is a recognized indicator of future violence and is a common and violent crime in domestic violence situations. Understanding how to address animal abuse can protect both animals and victims of domestic violence. In the same way that domestic violence was once thought of as a minor offense, with education, stronger laws, and judicial attention to these issues, including animals in TROs can advance the protection of animals as well as protect victims and children from additional trauma and violence.

#### ABOUT THE AUTHORS:

Sherry Ramsey, a licensed attorney in New York and New Jersey, is Manager of Animal Cruelty Prosecutions at the Humane Society of the United States.

Dr. Mary Lou Randour, Director of Professional Outreach for the Humane Society of the United States, is a psychologist who has focused on research, policy, and practice related to the link between animal cruelty and other crimes, especially interpersonal violence.

Nancy Blaney is Senior Policy Analyst at the Animal Welfare Institute. She has over 25 years of experience advocating on behalf of animals at the state and federal level.

Dr. Maya Gupta, a psychologist with interests in the link between animal cruelty and interpersonal violence, is President and CEO of Ahimsa House.

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## DOJ interested in animal cruelty crimes

The U.S. Department of Justice sent a strong signal of its interest in the problem of animal cruelty and interpersonal violence when its Bureau of Justice Assistance (BJA) awarded the Association of Prosecuting Attorneys nearly \$500,000 to provide training and other assistance to prosecutors in handling animal abuse and animal fighting cases.

This project provides on-site and webinar training; Web-based resources, including a brief bank; and ongoing technical assistance and access to expertise to encourage and enhance the vigorous prosecution of these crimes and address their link to domestic abuse, child abuse, and other forms of violence.

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**Testimony By:** Katie Hansberry

**Presented To:** Committee on Inland Fisheries and Wildlife

**In Support Of:** LD 970

**Date:** April 23, 2013

Good afternoon Senator Dutremble, Representative Shaw and members of the Committee on Inland Fisheries and Wildlife. Thank you for the opportunity to testify in support of LD 970. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States – the nation's largest animal protection organization.

Research demonstrates that coyote killing programs are wasteful and ineffective at reducing coyote populations, removing problem animals, or increasing deer herds. Accordingly, the current spending on these tactics is waste of scarce funds. The problem is that such programs fail to target "problem" animals and can often result in a coyote population rebound for two main reasons. First, when coyotes are threatened and at low population densities, females sometimes produce *larger* litters, likely due to decreased competition for food.<sup>i</sup> This allows coyote populations to bounce back quickly.<sup>ii</sup> Second, studies prove that indiscriminate killing of coyotes actually results in increased immigration of coyotes into vacant territories of killed animals.<sup>iii</sup> Thus, hunters are more likely to kill the unwary coyotes, leaving behind the animals best adapted to survive and reproduce. This selective pressure creates an animal perfectly adapted to thwart attempts at lethal control.

In a state where budgets are growing increasingly lean, coyote killing programs are a wasteful use of money that could be spent on a variety of projects to benefit the people of Maine. Spending money on deer wintering yards instead has greater potential to improve deer survival rates during Maine winters. Moreover, coyote hunting and trapping opportunities are already plentiful in Maine and contain very few restrictions.

On behalf of our Maine membership, I respectfully urge you to support LD 970. Thank you for your time and consideration.

Sincerely,

Katie Hansberry  
Maine State Director



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<sup>i</sup> Knowlton, F.P. 1972. Preliminary interpretations of coyote population mechanics with some management implications. *J. Wildl. Manage.* 36:369-382.

<sup>ii</sup> Connolly, G.E. 1978. Predator control and coyote populations: a review of simulation models. Pages 327-345 *in* M. Bekoff, ed. *Coyotes: biology, behavior, and management*. Academic Press, New York, N.Y.

<sup>iii</sup> Gehrt, S. D. 2004b. Chicago coyotes part II. *Wildl. Control. Technol.* 11(4):20-21, 38-9, 42.



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

Testimony Presented to the Committee on Insurance and Financial Services

In Support of LD 1192

April 25, 2013

By Katie Hansberry

Maine State Director

The Humane Society of the United States

Good morning, Senator Gratwick, Representative Treat and members of the Committee on Insurance and Financial Services. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States. On behalf of our members and supporters in Maine, thank you for the opportunity to submit testimony in support of LD 1192. This legislation would protect responsible pet from breed discrimination by insurance companies simply because they own a particular breed of dog and we would like to thank the bill sponsors for seeking to address this important component in the dog bite liability discussion.

Singling out a particular type of dog, for either liability or insurance coverage, is not an effective policy. First of all, singling out a particular breed or type of dog assumes that breed is readily identifiable. However, identifying breeds is often subjective and unreliable. For example, in the case of "pit bulls," this is not actually a breed of dog at all, but rather a generic term typically used to group various breeds of dog and their mixes. Unfortunately, many people guess at whether a dog is a "pit bull" based on appearance, and they are wrong more often than not—and this is true for other dog breeds as well.

Additionally, there is no credible evidence that one breed is more dangerous than another. Scientific evidence presented by nationally recognized sources (including the Centers for Disease Control and Prevention and the American Veterinary Medical Association) reliably demonstrates that dog breed is not a key predictive factor in dog bites. A dog's propensity to bite is actually the product of numerous factors including early socialization, living conditions, and the owner's choices (failure to have their dog neutered, for example, or chaining their dog outdoors). Moreover, there is *no truth* to the myth that certain types of dogs have locking jaws or other sinister traits. For these reasons, efforts aimed at increasing public safety by singling out one breed/type of dog have never been successful.

Our society coexists with almost 80 million dogs—living in 40% of American households—so it's vital that communities have preventative, effective dog-bite solutions that are backed by stakeholders and lawmakers. Such solutions involve understanding the real risk factors for bites, helping minimize those risk factors, and ensuring that bites are handled effectively and uniformly to eliminate future risk.

Breed discriminatory policies exclude thousands of well-behaved family pets with no history of aggression—and also fail to protect the insurance providers from losses from other non-delineated breeds. It's simply not a fair or effective approach. The bill includes a provision that removes the restrictions when a dog has been deemed dangerous in accordance with state law, which protects insurance companies from known risks and encourages dog owners to act responsibly.

Insurance coverage for dog owners—and all breeds of dogs—helps protect both dog owners and victims of dog bites. For these reasons, The HSUS urges your support of LD 1192. Thank you for your time and consideration.

Sincerely,

Katie Hansberry

Maine State Director

khansberry@humanesociety.org



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Testimony By: Katie Hansberry  
Presented To: Committee on Agriculture, Conservation, and Forestry  
In Support Of: LD 1239  
Date: April 16, 2013

Good morning, Senator Jackson, Representative Dill and members of the Committee on Agriculture, Conservation, and Forestry. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States. . Thank you for the opportunity to testify in opposition to LD 1239. Despite the length of the bill, I will try to keep my comments brief and highlight some of the concerns.

The Humane Society of the United States opposes LD 1239, which is entitled An Act to Clarify, Streamline and Promote Fair Animal Welfare Laws. However, the reality is that this bill complicates the law by unnecessarily revising definitions, strips the Animal Welfare Program of key enforcement mechanisms, removes important protections for cats and dogs, and does a disservice to responsible breeders.

In part, this bill appears to be an attempt by one special interest group to undue legislation enacted after deliberation by this committee and committed efforts of a working group that included stakeholders on all sides of the issue, including the group that is supporting this bill. In 2009, the working group and subsequently the legislature agreed on provisions improving the regulation of dog and cat breeding and the Department's ability to carry out their duties. This bill flies in the face of that deliberation and decision-making process.

LD 1239 would be detrimental in the following ways:

1. Remove the Commissioner's ability to appoint intermittent agents, which currently provides the Department an important flexibility to assist it in carrying out its duties and responsibilities.
2. Remove the Commissioner's ability to engage in certain fundraising – the sale of merchandise products – to generate funds. This is an innovative idea that, to my knowledge, has never caused a single problem.
3. Seeks to change several definitions of categories of licensees that were created, again, after deliberation by all stakeholders and this committee. The changes are not needed, and would require the Department to undergo unnecessary regulatory revisions.
4. Seeks to delete the vendor's permit currently required for anyone selling dogs in Maine who is not a licensed breeder, pet shop, kennel or shelter. This

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would allow out-of-state inhumane puppy mills who sell dogs over the Internet directly to Mainers to sell their puppies – regardless of the condition of those puppies – entirely scott free and outside of the purview of the Department. It would be a great disservice to consumers and to responsible breeders in Maine to remove this provision.

5. Allow inspections of breeders to occur only after probable cause that dogs are suffering. It is essentially a request that the inspection system be scrapped entirely, because the whole point of inspections is to help breeders maintain care standards so that animal cruelty never occurs. It's tantamount to suggesting that fire safety inspection should not occur until after the fire.

This bill just seems out of touch with reality. It would strip the department of revenues and authority, remove consumer protections, and even harm responsible Maine breeders by eliminating regulations in place to ensure transparency and prevent disreputable operations. Maine is consistently ranked in the top 6 states with the best animal welfare and anti-cruelty laws. These proposed revisions would be a step backwards and undo the excellent work of this committee and collective effort of the stakeholders in the animal welfare community.

This is a harmful bill and on behalf of our Maine membership, I respectfully urge your opposition to LD 1239. Thank you for your time and consideration.

Sincerely,

Katie Hansberry  
Maine State Director  
The Humane Society of the United States  
khansberry@humanesociety.org



**THE HUMANE SOCIETY**  
OF THE UNITED STATES

**Testimony In Opposition to LD 1303**  
**Presented to the Joint Standing Committee on Inland Fisheries and Wildlife**  
**By Katie Hansberry, Maine State Director**  
**The Humane Society of the United States**  
**April 30, 2013**

Good afternoon, Senator Dutremble, Representative Shaw and members of the Committee on Inland Fisheries and Wildlife. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States. On behalf of our members and supporters in Maine, thank you for the opportunity to submit testimony in opposition to LD 1303.

As an organization that works to protect wild animals and to mitigate threats to wildlife like habitat loss and poaching, we welcome the opportunity to partner with hunters when our interests intersect and we have a long history of doing so. Mainers already have the right to hunt and fish and putting this redundant "right" in our constitution is a solution in search of a problem. While we don't quarrel with the idea of a right to hunt and fish, we have serious concerns with the proposed legislation.

Unnecessarily putting this existing right into our constitution ties the hands of the legislature, limits its power, and could invite lawsuits from individuals who want to argue that conservation laws like bag limits or season dates for a particular species infringe upon their right to hunt and fish. This could cost taxpayers millions by opening the door to frivolous lawsuits and take power away from the legislature and put it into the hands of attorneys looking to challenge any existing restrictions.

As an organization we run a nationwide anti-poaching program and combatting poaching is a major priority for us. Recently, we joined sportsmen and the Department of Inland Fisheries and Wildlife in Maine to crack down on poaching by backing legislation to join the Interstate Wildlife Violator Compact. We were so pleased to see Maine become the first state in New England to pass this anti-poaching legislation. We are extremely concerned that putting a right to hunt in our constitution would amount to an open invitation for poachers to exploit it to their advantage and subject longstanding conservation laws to legal challenge.

The constitutional amendment also puts burdensome restrictions on policymakers, including the legislature, for any future laws that impact hunting/fishing or wildlife management. Saying that the right to hunt and fish is subject only to statutes and rules designed "*to preserve the future of hunting and fishing,*" and that "*public hunting and fishing are a preferred means of managing and controlling wildlife,*" ties the hands of lawmakers and Department of Inland Fisheries and Wildlife. This language may prevent them from taking necessary actions to protect our state's natural resources. It's a one-size-fits-all restriction that fails to take into account situations where hunting and fishing may not be feasible, such as densely populated areas or species for which hunting isn't an option like federally protected endangered species.

This legislation is unnecessary and could cause a myriad of unintended consequences. We respectfully urge the committee to reject it. Thank you for your time and consideration.



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

**Testimony in Support of LD 1474**

**Presented to The Joint Standing Committee on Inland Fisheries and Wildlife**

**By Katie Hansberry, Maine State Director**

**The Humane Society of the United States**

**May 10, 2013**

Good afternoon, Senator Dutremble, Representative Shaw and members of the Committee on Inland Fisheries and Wildlife. My name is Katie Hansberry and I am the Maine State Director for the Humane Society of the United States. On behalf of our members and supporters in Maine, I respectfully urge your support of LD 1474.

Bears are a beloved species in Maine and our citizens care deeply for them. Yet when it comes to bear protection, our state has some of the weakest laws in the entire country. This legislation is aimed at remedying this lack of protection and aligning Maine with the rest of the country.

Recreational bear trapping is so unsporting, inhumane, and unnecessary that Maine has the unique and unfortunate distinction of being the *only* state left in the country that still allows it. There is absolutely no fair chase involved when an unsuspecting bear is lured to a trap with bait. An animal's instinct is to break free from these foot snare traps, which can lead to extensive injuries to the animals. Trappers have even reported bears chewing off their own paws to free themselves.<sup>1</sup> Since these traps must be checked only once per day, the bear can suffer for hours in excruciating pain.

The Maine Department of Inland Fisheries and Wildlife notes that bear parts like gallbladders and paws are in "high demand in both international and domestic markets."<sup>2</sup> Bear gallbladders are believed in some cultures to have medicinal and cosmetic properties and they can sell for thousands of dollars overseas in countries like China. Maine is one of only 4 states that have no restrictions on the devastating trade in bear gallbladders. IFW notes that this makes Maine a "trading ground and loophole for black market bears coming from New Brunswick and more restrictive states." Allowing the trade in gallbladders in Maine adds incentives to killing bears illegally just to sell their gallbladders. Regulating the trade is not sufficient as there is no real way to tell if a gallbladder came from a poached bear or one that was killed legally and there are insufficient resources for such enforcement. As the overwhelming majority of other states have already realized, the best solution is to completely prohibit the trade.

Bear poachers are the enemy of lawful hunters and citizens alike. This legislation would enact class C felony level penalties for repeat bear poachers who commit the most egregious crimes including hunting out of season, illegal night hunting, illegal road hunting, killing over the bag limit, and the intentional waste of game. The Maine Warden Service has just 125 wardens.<sup>3</sup> While they are highly skilled and

<sup>1</sup> <http://www.washingtonpost.com/wp-dyn/content/article/2007/05/19/AR2007051900315.html>

<sup>2</sup> Maine Department of Inland Fisheries and Wildlife Testimony, LD 1016

<sup>3</sup> [http://www.maine.gov/ifw/warden\\_service/note.html](http://www.maine.gov/ifw/warden_service/note.html)

work tirelessly, they simply cannot be everywhere at once. The battle to get poaching under control requires penalties that deter these crimes before they happen. Felony level penalties for those who repeatedly violate the law will serve as a powerful deterrent and bring poachers to justice for their crimes.

Bears in Maine are also pursued and killed via an unsporting and unnecessary method known as "hounding." This practice involves fitting packs of trained dogs with radio collars or high-tech GPS transmitters that allow bear houndsmen to remotely track the dogs' movement, on high-tech devices. Dogs are released to chase frightened bear often for miles, across all types of habitat, including private property. Dogs pursue their target until in exhaustion the bear climbs a tree to escape or turns to confront the dog pack. Shooters then use their high-tech devices to locate the bears who are typically shot out of the tree at close range. If the bear doesn't make it to the tree in time, a fight will likely ensue and the bear may be ripped apart by the pack of dogs and/or the dogs mauled or killed.

There are serious dog welfare concerns associated with this practice, as dogs are put in harm's way and often regarded as hunting equipment as opposed to family companions.

Finally, in order to protect cubs from orphaning, this legislation codifies the existing de facto prohibition on spring bear hunting.

Before I conclude, I feel compelled to also address some points that I expect those opposed to the legislation will make. I want to emphasize that this legislation removes two *methods* of taking bears, but keeps bear hunting legal. Frequently opposition comments on this issue have centered on the size of the bear population, bear conflict, and the economics of bear hunting which are not relevant to this debate because this legislation will not impact the size of the bear population nor participation in bear hunting. LD 1474 ends the inhumane and unsporting use of two methods—hounding and recreational trapping—that amount on average to 15% of the overall annual bear take in Maine. The opposition has historically tried to move the debate away from the merits of these practices. The best available data suggests ending these unsporting and inhumane practices will have a negligible impact on the bear population, annual bear take, and bear hunting participation. Furthermore, major bear hunting states like Pennsylvania, Montana, Oregon, and Washington have successful bear hunting seasons without resorting to these methods. As states across the country have prohibited these methods of take, data obtained from state wildlife agencies demonstrates that the annual bear take has remained stable or increased and the number of bear hunters has *increased* by an average of 289%.<sup>4</sup>

There is no need for our state to continue sanctioning these archaic practices and we should do the right thing and put in place these long overdue protections for bears.

Thank you very much for your time and consideration.

---

<sup>4</sup> Data obtained from state wildlife agencies in Colorado, Washington, and Oregon.



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
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Office: 45 Memorial Circle, Augusta, Maine

Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
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## LOBBYIST REGISTRATION 2013

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Hansberry, Kathleen M The Humane Society of the United States PO Box 10136 Portland, ME 04104	Telephone: (207)999-2323 Fax: khansberry@humanesociety.org
<b>CLIENT INFORMATION</b>	
The Humane Society of the United States Principal Contact: Katie Hansberry 2100 L Street NW Washington, DC 20037	Telephone: (207)999-2323 Fax:
<b>LOBBYIST ASSOCIATES</b>	
N/A	Telephone: Fax:
<b>COMMENCEMENT OF LOBBYING ACTIVITIES</b>	
Date when lobbying commenced or is expected to commence:  01/08/2013	Date when lobbying first exceeded 8 hours in a calendar month:  04/18/2013
<b>COMPENSATION</b>	
The amount of compensation or the basis upon which the lobbyist will charge for those services.  PORTION OF SALARY	
<b>CLIENT'S BUSINESS DESCRIPTION, LEGISLATIVE INTERESTS, AND LEGISLATIVE COMMITTEES</b>	
<u>General Nature of Business:</u> Natural resources <u>Description of Business/Mission:</u> A non-for-profit corporation with a mission to promote the humane treatment of animals. <u>Legislative Interests:</u> Animal welfare issues, bear protection. <u>Legislative Committees:</u> Agriculture, Conservation and Forestry, Inland Fisheries and Wildlife, Insurance and Financial Services, Judiciary	





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## LOBBYIST DISCLOSURE REPORT FOR JANUARY 2013

### LOBBYIST INFORMATION

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### LOBBYIST ASSOCIATES

### TOTAL COMPENSATION FOR LOBBYING

\$177.50	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE FOR LOBBYING ACTIVITIES

\$524.13	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE TO OR ON BEHALF OF OFFICIALS AND FAMILY MEMBERS

\$0.00	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### EXPENDITURES OF \$25 OR MORE FOR OFFICIALS AND FAMILY MEMBERS

Date	Official or Family Member	Amount
Purpose:		

### LIST OF EVENTS AND ATTENDEES IF \$250 OR MORE WAS SPENT ON OFFICIALS

Date	Description of Event	Cost of Event
	Officials Attending	Family Members Attending

### LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF LOBBYING

Bills	LR 1721, LD 96
Issues	

<b>LEGISLATIVE ACTIONS FOR WHICH COMPENSATION/EXPENDITURES EXCEEDED \$1,000</b>			
Bills			
Issues			
<b>ORIGINAL SOURCES OF CONTRIBUTIONS/PAYMENTS OF \$1,000 OR MORE TO CLIENT</b>			
<b>LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF INDIRECT LOBBYING (OVER \$15,000)</b>			
<i>Legislative Action</i>	<i>Description of Intended Recipients</i>		<i>Total Amount</i>
	<i>Expenditure Type</i>	<i>Expenditure Description</i>	<i>Expenditure Amount</i>
<p>I, Kathleen Hansberry, affirm that the information contained in this report is true and complete and that no information is knowingly withheld to the best of my knowledge.</p> <p>Report filed by: Kathleen Hansberry  Report filed on: June 15, 2013</p> <p>If this report is filed by an authorized agent of the Principal Lobbyist, the Principal Lobbyist and the agent are liable for any violations of the Lobbyist Disclosure Law (3 M.R.S.A Chapter 15) that may result from the filing of a false or inaccurate report.</p> <p>Unsworn falsification is a Class D crime (17-A M.R.S.A. § 453).</p>			



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 242 State Street, Augusta, Maine

Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## LOBBYIST DISCLOSURE REPORT FOR FEBRUARY 2013

### LOBBYIST INFORMATION

Kathleen Hansberry  
The Humane Society of the United States  
PO Box 10136  
Portland, ME 04104

Telephone: (207)999-2323  
Fax:  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)

### CLIENT INFORMATION

The Humane Society of the United States  
Principal Contact: Katie Hansberry  
2100 L Street NW  
Washington, DC 20037

Telephone: (207)999-2323  
Fax:

### LOBBYIST ASSOCIATES

### TOTAL COMPENSATION FOR LOBBYING

\$163.75	\$18.75	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE FOR LOBBYING ACTIVITIES

\$558.68	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE TO OR ON BEHALF OF OFFICIALS AND FAMILY MEMBERS

\$0.00	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### EXPENDITURES OF \$25 OR MORE FOR OFFICIALS AND FAMILY MEMBERS

Date	Official or Family Member	Amount
Purpose:		

### LIST OF EVENTS AND ATTENDEES IF \$250 OR MORE WAS SPENT ON OFFICIALS

Date	Description of Event	Cost of Event
	Officials Attending	Family Members Attending

### LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF LOBBYING

Bills	LR 1721, LD 96
Issues	

<b>LEGISLATIVE ACTIONS FOR WHICH COMPENSATION/EXPENDITURES EXCEEDED \$1,000</b>						
Bills						
Issues						
<b>ORIGINAL SOURCES OF CONTRIBUTIONS/PAYMENTS OF \$1,000 OR MORE TO CLIENT</b>						
<b>LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF INDIRECT LOBBYING (OVER \$15,000)</b>						
<i>Legislative Action</i>	<i>Description of Intended Recipients</i>	<i>Total Amount</i>				
	<table border="1"> <tr> <td><i>Expenditure Type</i></td> <td><i>Expenditure Description</i></td> </tr> <tr> <td></td> <td></td> </tr> </table>	<i>Expenditure Type</i>	<i>Expenditure Description</i>			<i>Expenditure Amount</i>
<i>Expenditure Type</i>	<i>Expenditure Description</i>					
<p>I, Kathleen Hansberry, affirm that the information contained in this report is true and complete and that no information is knowingly withheld to the best of my knowledge.</p> <p>Report filed by: Kathleen Hansberry Report filed on: June 15, 2013</p> <p>If this report is filed by an authorized agent of the Principal Lobbyist, the Principal Lobbyist and the agent are liable for any violations of the Lobbyist Disclosure Law (3 M.R.S.A Chapter 15) that may result from the filing of a false or inaccurate report.</p> <p>Unsworn falsification is a Class D crime (17-A M.R.S.A. § 453).</p>						



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
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Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## LOBBYIST DISCLOSURE REPORT FOR MARCH 2013

### LOBBYIST INFORMATION

Kathleen Hansberry  
The Humane Society of the United States  
PO Box 10136  
Portland, ME 04104

Telephone: (207)999-2323  
Fax:  
khansberry@humanesociety.org

### CLIENT INFORMATION

The Humane Society of the United States  
Principal Contact: Katie Hansberry  
2100 L Street NW  
Washington, DC 20037

Telephone: (207)999-2323  
Fax:

### LOBBYIST ASSOCIATES

### TOTAL COMPENSATION FOR LOBBYING

\$166.25	\$18.75	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE FOR LOBBYING ACTIVITIES

\$758.04	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE TO OR ON BEHALF OF OFFICIALS AND FAMILY MEMBERS

\$0.00	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### EXPENDITURES OF \$25 OR MORE FOR OFFICIALS AND FAMILY MEMBERS

Date	Official or Family Member	Amount
Purpose:		

### LIST OF EVENTS AND ATTENDEES IF \$250 OR MORE WAS SPENT ON OFFICIALS

Date	Description of Event	Cost of Event
	Officials Attending	Family Members Attending

### LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF LOBBYING

Bills	LR 1721, LD 703, LD 395, LD 484
Issues	

Date Filed: 06/15/2013  
Date Modified: 06/15/2013  
Date Printed: 07/17/2013

<b>LEGISLATIVE ACTIONS FOR WHICH COMPENSATION/EXPENDITURES EXCEEDED \$1,000</b>		
Bills		
Issues		
<b>ORIGINAL SOURCES OF CONTRIBUTIONS/PAYMENTS OF \$1,000 OR MORE TO CLIENT</b>		
<b>LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF INDIRECT LOBBYING (OVER \$15,000)</b>		
<i>Legislative Action</i>	<i>Description of Intended Recipients</i>	<i>Total Amount</i>
	<i>Expenditure Type</i>	<i>Expenditure Description</i>
		<i>Expenditure Amount</i>
<p>I, Kathleen Hansberry, affirm that the information contained in this report is true and complete and that no information is knowingly withheld to the best of my knowledge.</p> <p>Report filed by: Kathleen Hansberry  Report filed on: June 15, 2013</p> <p>If this report is filed by an authorized agent of the Principal Lobbyist, the Principal Lobbyist and the agent are liable for any violations of the Lobbyist Disclosure Law (3 M.R.S.A Chapter 15) that may result from the filing of a false or inaccurate report.</p> <p>Unsworn falsification is a Class D crime (17-A M.R.S.A. § 453).</p>		



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
Mail: 135 State House Station, Augusta, Maine 04333  
Office: 242 State Street, Augusta, Maine

Website: [www.maine.gov/ethics](http://www.maine.gov/ethics)  
Phone: 207-287-4179  
Fax: 207-287-6775

## LOBBYIST DISCLOSURE REPORT FOR APRIL 2013

### LOBBYIST INFORMATION

Kathleen Hansberry  
The Humane Society of the United States  
PO Box 10136  
Portland, ME 04104

Telephone: (207)999-2323  
Fax:  
[khansberry@humanesociety.org](mailto:khansberry@humanesociety.org)

### CLIENT INFORMATION

The Humane Society of the United States  
Principal Contact: Katie Hansberry  
2100 L Street NW  
Washington, DC 20037

Telephone: (207)999-2323  
Fax:

### LOBBYIST ASSOCIATES

### TOTAL COMPENSATION FOR LOBBYING

\$553.35	\$28.05	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE FOR LOBBYING ACTIVITIES

\$504.70	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### TOTAL EXPENDITURES MADE TO OR ON BEHALF OF OFFICIALS AND FAMILY MEMBERS

\$0.00	\$0.00	\$0.00
Legislative Branch Officials	Executive Branch Officials	Constitutional Officers

### EXPENDITURES OF \$25 OR MORE FOR OFFICIALS AND FAMILY MEMBERS

Date	Official or Family Member	Amount
Purpose:		

### LIST OF EVENTS AND ATTENDEES IF \$250 OR MORE WAS SPENT ON OFFICIALS

Date	Description of Event	Cost of Event
	Officials Attending	Family Members Attending

### LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF LOBBYING

Bills	LD 1286, LD 1202, LD 1303, LD 1192, LD 970, LD 1239, LD 687, LD 1474
Issues	

<b>LEGISLATIVE ACTIONS FOR WHICH COMPENSATION/EXPENDITURES EXCEEDED \$1,000</b>			
Bills			
Issues			
<b>ORIGINAL SOURCES OF CONTRIBUTIONS/PAYMENTS OF \$1,000 OR MORE TO CLIENT</b>			
<b>LEGISLATIVE ACTIONS THAT WERE THE SUBJECT OF INDIRECT LOBBYING (OVER \$15,000)</b>			
<i>Legislative Action</i>	<i>Description of Intended Recipients</i>		<i>Total Amount</i>
	<i>Expenditure Type</i>	<i>Expenditure Description</i>	<i>Expenditure Amount</i>
<p>I, Kathleen Hansberry, affirm that the information contained in this report is true and complete and that no information is knowingly withheld to the best of my knowledge.</p> <p>Report filed by: Kathleen Hansberry  Report filed on: June 15, 2013</p> <p>If this report is filed by an authorized agent of the Principal Lobbyist, the Principal Lobbyist and the agent are liable for any violations of the Lobbyist Disclosure Law (3 M.R.S.A Chapter 15) that may result from the filing of a false or inaccurate report.</p> <p>Unsworn falsification is a Class D crime (17-A M.R.S.A. § 453).</p>			



**Marett, Matthew**

---

**From:** Marett, Matthew  
**Sent:** Tuesday, June 11, 2013 9:58 AM  
**To:** 'Katie Hansberry'  
**Subject:** RE: Response to Inquiry

My apologies. I look forward to your call this afternoon.

Best,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

**From:** Katie Hansberry [<mailto:khansberry@humanesociety.org>]  
**Sent:** Tuesday, June 11, 2013 9:45 AM  
**To:** Marett, Matthew  
**Subject:** Re: Response to Inquiry

I left you a voicemail, so unfortunately I can't resend that. I can call you again later today, probably after 2:00.

Sent from my Verizon Wireless 4G LTE DROID

"Marett, Matthew" <[Matthew.Marett@maine.gov](mailto:Matthew.Marett@maine.gov)> wrote:

Hi Katie,

I did not receive your message. Would you mind re-sending it?

Thanks,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

**From:** Katie Hansberry [<mailto:khansberry@humanesociety.org>]  
**Sent:** Tuesday, June 11, 2013 9:39 AM  
**To:** Marett, Matthew  
**Subject:** Re: Response to Inquiry

Hi Matt,

I just wanted yo follow up and make sure you received my message on Friday.

Thanks,  
Katie Hansberry  
207-999-2323

Sent from my Verizon Wireless 4G LTE DROID

"Marett, Matthew" <[Matthew.Marett@maine.gov](mailto:Matthew.Marett@maine.gov)> wrote:

Ms. Hansberry,

That is fine. Whenever is convenient for you works for me.

Sincerely,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

From: Katie Hansberry [<mailto:khansberry@humanesociety.org>]  
Sent: Thursday, June 06, 2013 10:58 AM  
To: Marett, Matthew  
Subject: Response to Inquiry

Hi Matt,

I received your email and will give you a call as soon as I have a chance today or tomorrow. Does that work?

Thanks and I look forward to speaking with you.

Best,  
Katie Hansberry  
Maine State Director  
The Humane Society of the United States

Sent from my Verizon Wireless 4G LTE DROID

## Marett, Matthew

---

**From:** Marett, Matthew  
**Sent:** Wednesday, June 12, 2013 10:54 AM  
**To:** 'Katie Hansberry'  
**Subject:** RE: unsubmitted registration

Ms. Hansberry,

For some reason the committee information did not come through. I've added the committees you noted below to your registration and approved it. You will receive a confirmation e-mail shortly.

Please let me know if you have any questions.

Sincerely,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

From: Katie Hansberry [<mailto:khansberry@humanesociety.org>]  
Sent: Wednesday, June 12, 2013 10:27 AM  
To: Marett, Matthew  
Subject: Re: unsubmitted registration

Morning, Matt.

I'm sorry. Did I not include that on the registration?

I testified in IFW, ACF and was in Judiciary and Insurance and Financial Services once.

Thanks,  
Katie

Sent from my Verizon Wireless 4G LTE DROID

"Marett, Matthew" <[Matthew.Marett@maine.gov](mailto:Matthew.Marett@maine.gov)> wrote:

Ms. Hansberry,

I have received your lobbyist registration, thank you. Could you please provide the committees before which you are lobbying?

Thanks,

Matt Marett

Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

From: Katie Hansberry [mailto:khansberry@humanesociety.org]  
Sent: Tuesday, June 11, 2013 4:28 PM  
To: Marett, Matthew  
Subject: RE: unsubmitted registration

Hi Matthew,

I just had a chance to submit the online registration. Thanks again for your help.

Best,

Katie Hansberry  
Maine State Director  
khansberry@humanesociety.org<mailto:khansberry@humanesociety.org>  
t 207.999.2323

facebook.com/HSUSMaine<www.facebook.com/HSUSMaine>

The Humane Society of the United States

P.O. Box 10136 Portland, ME 04104

humanesociety.org<http://www.humanesociety.org/>

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R REQUESTS> Facebook<http://www.facebook.com/profile.php?id=6041057841>

Twitter<http://twitter.com/HumaneSociety> Blog<http://hsus.typepad.com/wayne/>

[Description: Description: Description: The Humane Society of the United States - Celebrating Animals I  
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To support The Humane Society of the United States, please make a monthly  
donation<https://secure.humanesociety.org/site/Donation2?df\_id=2320&2320.donation=form1&s\_src=dn\_emstaffsig  
2320>, or give in another  
way<http://www.humanesociety.org/donate/?utm\_source=staffsignature&utm\_medium=email&utm\_campaign=do  
nate>, via a gift  
donation<https://secure.humanesociety.org/site/Donation2?df\_id=1590&1590.donation=form1&s\_src=dn\_emstaffsig  
1590> or memorial  
donation<https://secure.humanesociety.org/site/Donation2?df\_id=1505&1505.donation=form1&s\_src=dn\_emstaffsig  
1505> or donating your  
vehicle<https://oncarhelpshumane.com/?utm\_campaign=hsusStaffEmailSig\_2012&utm\_source=emailClient&utm  
medium=email>. You can also  
volunteer<http://www.humanesociety.org/community/volunteers/?utm\_source=staffsignature&utm\_medium=emai  
l&utm\_campaign=volunteer> for The HSUS, and see our 55 ways you can  
help<http://www.humanesociety.org/action/55\_actions\_to\_help\_animals.html?utm\_source=staffsignature&utm\_me  
dium=email&utm\_campaign=helpanimals> animals.

The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator<<http://www.charitynavigator.org/index.cfm?bay=search.summary&orgid=3848>>, approved by the Better Business Bureau<<http://www.bbb.org/charity-reviews/national/animal-protection/humane-society-of-the-united-states-in-washington-dc-3129>> for all 20 standards for charity accountability, voted by Guidestar's Philanthropedia<<http://www.myphilanthropedia.org/blog/2011/08/24/humane-society-of-the-united-states-hsus-1-expert-identified-animal-rights-and-welfare-nonprofit/>> experts as the #1 high-impact animal protection group, and named by Worth Magazine<[http://www.humanesociety.org/assets/pdfs/about/worth\\_top\\_10\\_fiscally\\_responsible\\_charities.pdf](http://www.humanesociety.org/assets/pdfs/about/worth_top_10_fiscally_responsible_charities.pdf)> as one of the 10 most fiscally responsible charities.

From: Marett, Matthew [<mailto:Matthew.Marett@maine.gov>]  
Sent: Tuesday, June 11, 2013 2:47 PM  
To: Katie Hansberry  
Subject: unsubmitted registration

Ms. Hansberry,

Attached is your un-submitted registration form from earlier in the year. As we discussed on the phone, the first step is for you to register as a lobbyist. You can access the online registration from our home site, [www.maine.gov/ethics](http://www.maine.gov/ethics)<<http://www.maine.gov/ethics>>. The "lobbyist registration" link is on the bottom left-hand side of the page. Once we receive the registration, I will discuss the matter with Jonathan Wayne, the Commission's Executive Director, and decide how to proceed.

Please let me know if you have any questions.

Sincerely,

Matt Marett  
PAC, Party & Lobbyist Registrar  
Maine Ethics Commission

Mailing: 135 State House Station  
Augusta, Maine 04333  
T: (207) 287-6221

## Marett, Matthew

---

**From:** Marett, Matthew  
**Sent:** Tuesday, June 18, 2013 12:18 PM  
**To:** 'Katie Hansberry'  
**Subject:** RE: Monthly reports

Ms. Hansberry,

Thank you. Your registration has been updated with this information.

Sincerely,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

**From:** Katie Hansberry [mailto:khansberry@humanesociety.org]  
**Sent:** Tuesday, June 18, 2013 9:55 AM  
**To:** Marett, Matthew  
**Subject:** RE: Monthly reports

Good morning, Matt.

After reviewing all of the information you provided, obtaining answers to my many questions, and having completed my reports, I am able to provide you with the appropriate dates for my registration. The first date on which I directly lobbied was 1/8/13 and the date on which I accrued 8 hours of direct lobbying in a calendar month was 4/18/13.

Thank you again for being so helpful.

Best,

Katie Hansberry  
Maine State Director  
khansberry@humanesociety.org  
t 207.999.2323  
facebook.com/HSUSMaine  
The Humane Society of the United States  
P.O. Box 10136 Portland, ME 04104  
humanesociety.org  
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To support The Humane Society of the United States, please make a monthly donation, or give in another way, via a gift donation or memorial donation or donating your vehicle. You can also volunteer for The HSUS, and see our 55 ways you can help animals.

The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator, approved by the Better Business Bureau for all 20 standards for charity accountability, voted by Guidestar's Philanthropedia experts as the #1 high-impact animal protection group, and named by Worth Magazine as one of the 10 most fiscally responsible charities.

-----Original Message-----

From: Marett, Matthew [mailto:Matthew.Marett@maine.gov]

Sent: Monday, June 17, 2013 11:13 AM

To: Katie Hansberry

Subject: RE: Monthly reports

Ms. Hansberry,

To amend your registration, please send me an e-mail citing the information you wish to amend and the changes you would like to make to that information. Once I receive that information, I will make the necessary changes.

Please let me know if you have any questions.

Sincerely,

Matt Marett

Maine Ethics Commission

PAC, Party & Lobbyist Registrar

(207) 287-6221

-----Original Message-----

From: Katie Hansberry [mailto:khansberry@humanesociety.org]

Sent: Monday, June 17, 2013 10:58 AM

To: Marett, Matthew

Subject: Re: Monthly reports

Hi Matt,

I hope you had a nice weekend.

I filed reports for Jan-April on Saturday and will file the report for May today.

I wanted to check in with you because, as we discussed, I need to revise the dates on my registration. How do I go about taking care of that?

Thanks,

Katie

Sent from my Verizon Wireless 4G LTE DROID

"Marett, Matthew" <Matthew.Marett@maine.gov> wrote:

Hi Katie,

I should have been more clear about this, I apologize. Monthly reports are due on the 15th of each month unless the 15th falls on a weekend or holiday. The May report is due on Monday, June 17th because the 15th falls on a Saturday. However, the penalty for late filed reports increases after the 15th of the month, regardless of whether that falls on a weekend or holiday. So for any reports you may have been required to file prior to the May report, the preliminary penalty amount increases after June 15. The filing deadline is 11:59 p.m. I hope this makes more sense.

Regarding your other questions:

- 1) FOIA request. If the FOIA request was made in preparation for lobbying, the time spent making the request would count as lobbying.
- 2) E-mail to warden service. Covered officials in the Department of Inland Fisheries and Wildlife are the Commissioner, Deputy Commissioner and the Game Warden Colonel. Whether a conversation with one of these officials would be considered lobbying depends on the purpose of the conversation. If it was to influence legislative action than it is lobbying. If was not for that purpose, then it is not lobbying. My guess is that a conversation expressing concern over a piece of legislation would be considered lobbying.
- 3) Indirect lobbying. Does not count towards the 8 hour threshold for registration.
- 4) Submitting January and February reports. It cannot hurt to disclose this information, but you are certainly not required to if you are uncomfortable doing so. Any preliminary penalties that are assessed will be based only on those reports required to be filed, not on reports filed voluntarily.
- 5) Date first registration attempt made. February 22, 2013.

Please let me know if you have any more questions.

Sincerely,

Matt Marett  
Maine Ethics Commission  
PAC, Party & Lobbyist Registrar  
(207) 287-6221

-----Original Message-----

From: Katie Hansberry [mailto:khansberry@humanesociety.org]  
Sent: Friday, June 14, 2013 1:17 PM  
To: Marett, Matthew  
Subject: Re: Monthly reports

Hi Matt,

Thank you very much for letting me know this. Since the May report is due on Monday I was assuming that was the date. I will get them in by tomorrow morning, but what time constitutes the end of the day?

I also had a few more questions:

I sent a FOIA request to IFW and communicated with a couple of folks there about it. Are those communications direct lobbying?



I sent an email to the head of the warden service inquiring if they what their position was on a bill and brought a concern to their attention. Is that direct lobbying?

Is indirect lobbying counted towards that initial 8 hour threshold or is it just direct lobbying?

I just wanted to confirm that you suggested that I submit reports for Jan, Feb etc even if I have not met the initial 8 hour threshold at that point, right?

Do you have the date that I initially thought I registered on?

Thank you again for you help!

Best,

Katie Hansberry

Sent from my Verizon Wireless 4G LTE DROID

"Marett, Matthew" <Matthew.Marett@maine.gov> wrote:

Ms. Hansberry,

I'm not sure I made this clear when we talked on Wednesday. Because of the way penalties for late reports are calculated, it would be beneficial for you to file any late reports by the end of the day tomorrow, June 15, 2013. Delaying the filing until after the 15th could increase the late penalty for each report by \$100.

Please let me know if you have any questions. I will be in the office until 4:00 p.m. today.

Sincerely,

Matt Marett  
PAC, Party & Lobbyist Registrar  
Maine Ethics Commission

Mailing: 135 State House Station  
Augusta, Maine 04333  
T: (207) 287-6221